



Generations

Area 13 Agency On Aging & Disability

A member of the  INconnect Alliance.

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Taking Care of Your Grandchildren as
a Grandparent

Holiday-Proof Your Holiday Meal Plan

Utility Scams - What You Should Know



Season's
Greeting

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Generations

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Generations, affiliated with Vincennes University, is a not-for-profit agency which serves older adults, individuals with disabilities of all ages and caregivers in the counties of Daviess, Dubois, Greene, Knox, Martin and Pike, without regard to race, national origin, sex, age, religion, disability, and/or sexual orientation by providing resources that foster personal independence while assuring individual dignity and an enhanced quality of life.

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Letter from Generations' Executive Director

I don't want it. I don't want it either. What are going to do with it? I don't know, but we can't throw it away. Why not? Because mom loved it. This is a conversation that has played out multiple times in the last few months as my sister and I cleaned out our parents' house and tried to figure out what to do with their stuff.

They were not hoarders by definition, but they did have a lot of stuff accumulate over twenty years. My mom liked to decorate for every holiday. She played it off that she did it for the grandkids, but truth is she just liked to do it. She decorated from top to bottom and inside and out for all the big holidays. When we cleaned out the garage, we found more than 25 big containers for fall decorations. We started with the ones labeled Valentine's Day because we figured it couldn't be that bad for just Valentine's Day. We were wrong – easily 12 containers for just that one.

I feel sure they kept every swim suit the kids had ever owned. I am not sure what the intention was for old, faded swim suits, but into the trash they went. There was a huge container way in the back of the garage of brand new sweatshirts. My guess is they were bought on clearance in the summer and she forgot she had them.

At one point we came across a few containers that weren't labeled. Turns out there was a bunch of crystal from my grandparents' house that my mom had kept. I could just imagine her thinking she didn't want it, but she didn't feel right about giving it away either.

Which is exactly how my sister and I felt. We don't want their stuff, but we feel guilty about getting rid of it as well. Thus, one side of my garage is piled high with storage containers of things I don't know what to do with. We can't use the pool table and can barely get through the garage.

Don't get me wrong, I am not heartless. There were some special items that we kept. We let the kids go through and pick some things that were special to them. It was a bit heartbreaking though when one of the boys took ½ of Papaw's wardrobe just to have it. He snuck it home because I had said he could only keep a few items. When I questioned him about it, tears came to his eyes and I knew I couldn't make him get rid of any of it.

Every item we touched was a memory. We laughed at some and cried at others. Every item we got rid of tugged at our heart or left a lump of guilt in our stomach. It was emotionally exhausting to go through it all.

The cheap treasure box that holds candy for trick or treaters now sits on the buffet in my dining room. It was one of my mom's favorite Halloween pieces. Turns out it was a favorite for my kids as well because they both commented they were glad I kept it.

The items left in my garage weigh heavily on my heart. I know eventually I will get rid of it because none of us want or need it, but the guilt of giving up some of their prized possessions weighs heavier than the need to clean out my garage.



Laura Holscher

A handwritten signature in black ink, appearing to read 'Laura Holscher', written in a cursive style.

Laura Holscher

Taking Care of Your Grandchildren as A Grandparent

Active Daily Living (found on Generations website at www.generationsnetwork.org)

There is an old saying among grandparents: It is nice when the grandchildren visit. It is also nice when they go home to their parents.

But many grandparents see their grandchildren every day. Over 8 million American children live with their grandparents. In one-third of these homes, the parents don't live there, and the grandparents are in charge. In other families, grandparents care for grandchildren during the day while the parents are at work.

It is a delight to be with grandchildren. But it is also often stressful. Grandchildren are full of energy while older adults may be slowing down. They like playing computer games that grandparents may not understand. They may watch too much YouTube and not do their homework.

Here are some ideas for how grandparents can enjoy their grandchildren with less stress:

- **Learn what children need:** Grandparents were parents to young children a long time ago. They may not remember what kids at different ages need. For example, disciplining children at ages 5 and 15 should be different. Doctors and teachers can offer information. The Centers for Disease Control has a website with tips for parenting children at different ages (<https://www.cdc.gov/ncbddd/child-development/facts.html>).
- **Share what children like:** They may look strange, but computer games are fun. So are YouTube videos. They are also often educational. There are reasons why so many children love them. Don't tell kids to read books instead. Try playing the games and watching the videos with them. You will understand your grandchildren more. They may appreciate your effort.
- **Talk with their parents:** If parents are involved, don't argue with them about how to handle the kids. Treat the parents as the experts on their children. It will make it easier for you to play the role of sup-



portive grandparent. It will make it easier for the kids, too, if the adults aren't arguing.

- **Practice self-care:** Caring for grandchildren shouldn't be all that you do. You need protected time apart from them to be with your spouse, see friends, and enjoy hobbies. Having down-time to read a book or watch TV lets you recharge. Proper sleep, exercise, and diet matter to your health. You need to stay healthy if you want to be able to keep up with those grandkids.
- **Call other grandparents:** Grandparents like to show photos of their grandchildren to one another. But they can also compare notes. How do you help your grandkids with homework, they might ask? How do you get them to listen? Grandparents can provide each other with advice, information, and support. They can help each other find more joy in taking care of the grandchildren they love.

Barry J. Jacobs, Psy.D. is a clinical psychologist, family therapist and a Principal for Health Management Associates. He is the author of two self-books on family caregiving and a monthly column on family caregiving for AARP.org

The Family Caregiver's Newsletter articles are created for Active Daily Living by leading experts in aging and also The Benjamin Rose Institute on Aging, a nationally recognized leader addressing the most important issues of aging through service, research and advocacy. As a champion for older adults, BRIA works to advance their health, independence and dignity. The organization has established itself as a trusted resource for people who counsel, care for and advocate on behalf of older adults throughout the U.S. - See more at: <http://www.benrose.org>

Social Security Announces 5.9 Percent Benefit Increase for 2022

News Release from the Social Security Administration

Social Security and Supplemental Security Income (SSI) benefits for approximately 70 million Americans will increase 5.9 percent in 2022, the Social Security Administration announced.

The 5.9 percent cost-of-living adjustment (COLA) will begin with benefits payable to more than 64 million Social Security beneficiaries in January 2022. Increased payments to approximately 8 million SSI beneficiaries will begin on December 30, 2021. (Note: some people receive both Social Security and SSI benefits). The Social Security Act ties the annual COLA to the increase in the Consumer Price Index as determined by the Department of Labor's Bureau of Labor Statistics.

Some other adjustments that take effect in January of each year are based on the increase in average wages. Based on that increase, the maximum amount of earnings subject to the Social Security tax (taxable maximum) will increase to \$147,000 from \$142,800.

Social Security and SSI beneficiaries are normally notified by mail starting in early December about their new benefit amount. Most people who receive

Social Security payments will be able to view their COLA notice online through their personal my Social Security account. People may create or access their my Social Security account online at www.socialsecurity.gov/myaccount.

Information about Medicare changes for 2022, when announced, will be available at www.medicare.gov. For Social Security beneficiaries receiving Medicare, Social Security will not be able to compute their new benefit amount until after the Medicare premium amounts for 2022 are announced. Final 2022 benefit amounts will be communicated to beneficiaries in December through the mailed COLA notice and my Social Security's Message Center.

The Social Security Act provides for how the COLA is calculated.

To read more, please visit www.socialsecurity.gov/cola.



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SCAM ALERT



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The Social Security Administration will never threaten, scare, or pressure you to take an immediate action.



If you receive a call, text, or email that...

- Threatens to **suspend your Social Security number**, even if they have part or all of your Social Security number
- Warns of **arrest or legal action**
- Demands or requests **immediate payment**
- Requires payment by **gift card, prepaid debit card, Internet currency, or by mailing cash**
- Pressures you for **personal information**
- Requests **secrecy**
- Threatens to **seize your bank account**
- Promises to **increase your Social Security benefit**
- Tries to gain your trust by providing **fake "documentation," false "evidence," or the name of a real government official**

...it is a **scam!**

Do not give scammers money or personal information – Ignore Them!

Protect yourself and others from Social Security-related scams

- **Try to stay calm.** Do not provide anyone with money or personal information when you feel pressured, threatened, or scared.
- **Hang up or ignore it.** If you receive a suspicious call, text, or email, hang up or do not respond. Government employees will not threaten you, demand immediate payment, or try to gain your trust by sending you pictures or documents.
- **Report Social Security-related scams.** If you receive a suspicious call, text, or email that mentions Social Security, ignore it and report it to the SSA Office of the Inspector General (OIG). Do not be embarrassed if you shared personal information or suffered a financial loss.
- **Get up-to-date information.** Follow SSA OIG on Twitter @TheSSAOIG and Facebook @SSA Office of the Inspector General for the latest information on Social Security-related scams. Visit the Federal Trade Commission for information on other government scams.
- **Spread the word.** Share your knowledge of Social Security-related scams. Post on social media using the hashtag #SlamtheScam to share your experience and warn others. Visit oig.ssa.gov/scam for more information. Please also share with your friends and family.

Utility Scams - What You Should Know

AARP Fraud Resource Center, www.aarp.org

The days are getting shorter, the nights are getting colder and you could swear you paid that last gas and electric bill. But the caller from the power company is adamant that you're overdue and says if you don't pay up now, the juice goes out. That's the last thing you want in the chilly dead of winter (or the long, hot summer, as the case may be). Best not to risk it.

That's what fraudsters want you to think, and enough people do to make utilities a common subject of impostor scams, by far the most common type of fraud reported to the Federal Trade Commission (FTC). Impersonators call homes and small businesses demanding payment for supposedly delinquent bills and threatening to terminate service. They time attacks for maximum urgency, stepping up activity during peak heating or air conditioning season, and targeting businesses at busy times (like the lunch or dinner rush at a restaurant).

A fake utility worker might also seek payment up front to replace or repair a meter or other device, or solicit personal information in the name of signing you up for a government program that reduces energy bills. There are several other varieties of utility con:

- Rather than claiming you owe money, scam callers might say you've overpaid and ask for bank account or credit card information to make a "refund."
- Scammers pretending to be utility workers show up at your home to inspect or repair equipment, investigate a supposed gas leak or do a free "audit" for energy efficiency. They may try to charge you for the phony service, sell you unnecessary products, collect personal information for use in identity theft or simply gain entry to steal valuables.
- Utility impostors send out phishing emails or "smishing" text messages aimed at convincing you to make a payment or supply personal or financial data to sort out a service issue.
- Identity thieves use stolen personal information to open utility accounts and run up charges in the victim's name. The Federal Trade Commission (FTC) received more than 31,000 reports of utility-related identity theft in 2019.

Have you seen this scam? Call the AARP Fraud Watch Network Helpline: 877-908-3360

Utility scammers particularly target older Americans and people who are not native English speakers, according to CenterPoint Energy, a Houston-based utility that provides direct gas or electricity service in six states. But anyone who pays a utility bill can be a mark — and anyone can avoid being victimized by taking a few precautions.

WARNING SIGNS

- An unscheduled or unsolicited call or visit from someone claiming to represent your power or water company.
- Threats to cut off service unless an overdue bill or maintenance cost is paid immediately.
- A demand for payment by wire transfer, cryptocurrency, gift card or cash-reload card — scammers' favored methods.
- Payments on credit card or bank statements for utility accounts you did not open.

BEWARE OF A UTILITY SCAM

Do's

- Do call the utility, at the customer-service number listed on your bill, to find out if you're behind on a payment or if they have tried to contact you. Do not use a call-back number provided by an unknown caller.
- Do know how utilities operate. They do not request personal information over the phone, and they do not cut off service without considerable advance warning.
- Do ask questions of anyone calling you or coming to your door on supposed utility business — for example, their employee identification number, or the date and amount of your most recent payment.
- Do notify the utility if you've been approached by an impostor.
- Do notify neighbors if there's a suspected scammer making the rounds in the area.

Don'ts

- Don't provide personal or financial information to a caller or visitor you don't know.
- Don't wire money or provide numbers from gift cards to anyone who contacts you on utility matters.
- Don't get scared. A scammer will try to convince you the lights or water are about to go out. If you're actually behind on payments, the utility will send you a delinquent notice, probably more than once, and tell you the prospective shutoff date.
- Don't let a supposed utility employee into your home unless you have scheduled an appointment or reported a problem. Even if you have, check their identification first.
- Don't click on links in a utility-related email or text message unless you're certain it's from the real company.

More Resources

- If you've been victimized, file a complaint with the FTC (online at [ReportFraud.ftc.gov](https://www.ftc.gov/report-fraud) or by phone at 877-382-4357) and report it to your state's consumer protection office or utility commission.
- If someone has opened a utility account in your name, call the National Consumer Telecom & Utilities Exchange at 866-349-5185 to get a copy of your account history and dispute inaccurate content. You can also put a security freeze on this report.
- Utilities United Against Scams, a consortium of more than 100 North American natural gas, electric and water companies and trade groups, offers detailed information on utility-related impostor cons on its website (utilitiesunited.org) and in its Consumer's Guide to Impostor Utility Scams.



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- ★ Understand what you are signing
- ★ Report suspicious solicitations or suspected fraudulent activities to:
 - State Attorney General’s Office: www.naag.org/naag/attorneys-general/whos-my-ag.php
 - Federal Trade Commission (FTC): <https://reportfraud.ftc.gov>
 - Consumer Financial Protection Bureau: www.consumerfinance.gov or 1-855-411-CFPB [2372]
 - Department of Veterans Affairs Office of Inspector General (OIG) hotline: www.va.gov/oig/hotline, vaoighotline@va.gov, or 1-800-488-8244
 - National Elder Fraud Hotline, U.S. Department of Justice: 1-833-372-8311
- ★ For excellent tips and recommendations regarding veteran advocacy assistance please refer to Attorney General Leslie Rutledge’s (Arkansas):
 - Consumer Alert: Scammers Pose as Veteran Advocates: <https://arkansasag.gov/media-center/consumer-alerts/scammers-pose-as-veteran-advocates>

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For additional information and resources please contact the National Center on Elder Abuse at ncea.acl.gov or 1-855-500-3537

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Promoting Immunizations

Vaccines are one of the most important and effective public health tools available to prevent a variety of diseases across the lifespan. Vaccines teach your body's immune system to recognize and defend against harmful germs, such as viruses or bacteria.

Vaccines don't just protect you. Staying current on recommended vaccinations helps you to stay healthy and also protects those around you who are at greatest risk of serious complications from vaccine-preventable diseases. In addition to getting vaccinated, there are other things you can do to help prevent illness. Talk with your healthcare provider or pharmacist about what immunizations you need.

Instructions: Find and circle each word in the list. Some letters are used more than once. Words may be diagonal or backward.

D S S U D D E N S X E C O V I D W A T R
 E O U R A I C E I N F L U E N Z A L E I
 T C U T I K S R S G N I T S E T G V B S
 A I J L S K U I O M S O N I A X E A R T
 N A S A O Q O E N I P H M D N F H C A O
 I L M E F G I J G F A T I G U E K C L P
 C D N O E P G R A S E T I N U B G I S T
 C I Z U A I A X I W A C O U G H E N C H
 A S V Q I S T E D U V O T L M L A E Y E
 V T L O N A N V P N I U M A S T E K O S
 T A A C O R O N A V I R U S W N I S B P
 E N R D M E C O A I N P O R F F H L J R
 G C I K U L P Q N E M O A I W N C E T E
 T E V J E R E S K I S W D A O N H G S A
 N O I T N E V E R P R U M S T T I R E D
 D U T E P A N T S K E B A C D I L N H G
 A T N E H A N D W A S H I N G O L U C T
 S F A W T C E F N I S I D C H E S T A P
 T E S R O K U H E A D A C H E J U M P A
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Aches
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 Disinfect
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 Fever
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 Headache
 Influenza
 Mask
 Nausea
 NFID
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 Prevention
 Rash
 Sanitizer
 Shingles
 Social Distance
 Stop The Spread
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Adapted from: www.nfid.org/wp-content/uploads/2020/10/COVID-19-Flu-Word-Search.pdf

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Three Reasons For Adults to Get Vaccinated

You may not realize you need vaccinations throughout your adult life. Vaccines are important to your health for three reasons.

1. You may be at risk for serious diseases that are still common in the US.

Each year, thousands of adults in the United States get sick from diseases that could be prevented by vaccines – some people are hospitalized, and some even die.

Even if you got all your vaccines as a child, the protection from some vaccines can wear off over time. You may also be at risk for other diseases due to your age, job, lifestyle, travel, or health conditions.

2. You can't afford to risk getting sick.

Even healthy people can get sick enough to miss work or school. If you're sick, you may not be able to take care of your family or other responsibilities.

3. You can protect your health and the health of those around you by getting the recommended vaccines.

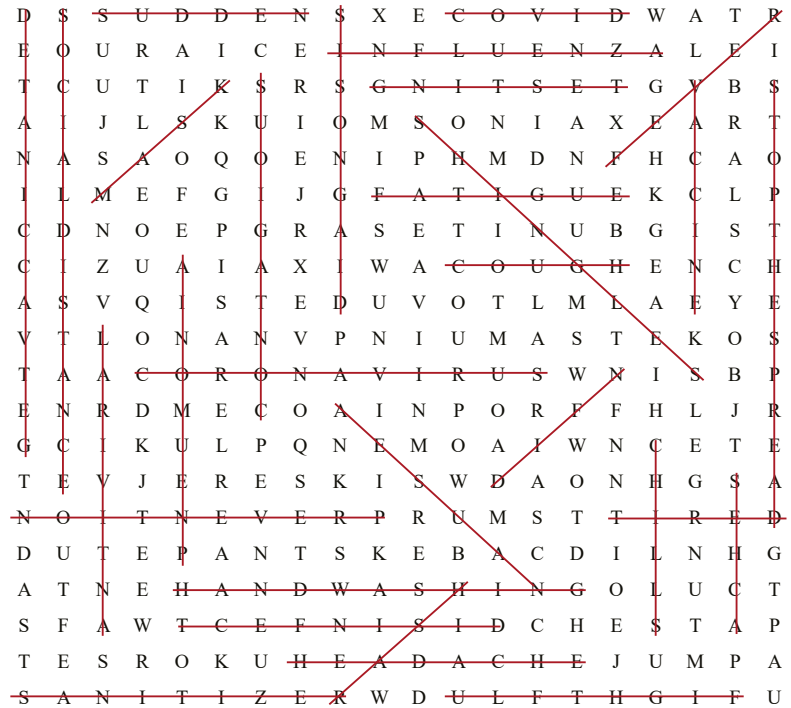
- **Vaccines lower your risk of getting sick.** Vaccines work with your body's natural defenses to lower the chances of getting certain diseases as well as suffering complications from these diseases.
- **Vaccines lower your chance of spreading certain diseases.** There are many things you want to pass on to your loved ones; a vaccine-preventable disease is not one of them. Infants, older adults, and people with weakened immune systems (like those undergoing cancer treatment) are especially vulnerable to vaccine-preventable diseases.
- **Vaccines are one of the safest ways to protect your health.** Vaccine side effects are usually mild and go away on their own. Severe side effects are very rare.

Please contact your healthcare provider, local (county) health department, or pharmacy to schedule an appointment to receive your vaccines.

Source: <https://www.cdc.gov/vaccines/hcp/adults/downloads/fs-three-reasons.pdf>

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Word Search Answer Key



Home is Where the Heart is Checklist



TIPS ON LONG-DISTANCE CAREGIVING

Ensuring the health and welfare of our friends and family is of the utmost importance, regardless of distance. We at the National Center on Elder Abuse want to share the following tips on staying socially connected with your loved ones. Here are some tips:

Ask your loved one what they WANT just as much as what they NEED

- > Do they want a favorite food delivered?
- > Are they running low on a favorite lotion or cream?
- > Do they need or want assistance with shopping?
- > Do they feel safe going on walks or doing outdoor activities?

Get in contact and stay connected

- > Ask them if it would be okay to check-in on a daily or weekly basis.
- > Determine the best way to reach them [e.g. landline, cell phone, computer, other devices].
- > Send them a letter through email, or be creative and pen a letter that you and your family create together.
- > Coordinate a video call and invite the entire family to check-in and catch-up.



Create your own checklist to stay connected!



Check-in Event	Date or Day	Completed	Notes
EXAMPLE: Check-in Zoom call with Grandma – Tuesday	Tuesday	✓	She is doing well, wants help with grocery delivery.



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Caregiver Corner

Tips for Caregivers: Meal Preparation

Active Daily Living (found on Generations website at www.generationsnetwork.org)

As our loved ones age, the possibility of accidents happening in the kitchen goes up dramatically. According to the Federal Emergency Management Agency, people over the age of 65 have a 2.5 times greater risk of dying in a kitchen fire than the general population. Our loved ones are much more prone to falling when trying to reach something on the top shelf, and more susceptible to food borne illnesses that can be fatal from improperly stored food. Consider these tips when helping your loved one cook:

- Make sure your loved one never leaves food unattended while cooking. Consider buying them an automatic shut-off device so that if they do forget to turn something off, you have peace of mind.
- Many things in the kitchen can be fire hazards. Your loved one should not wear loose clothing when cooking, keep towels and potholders far away from hot surfaces and clean up the stove immediately so that oil and fat don't build up on the surface.
- Prevent falls in the kitchen by making sure your loved one's kitchen isn't cluttered, install bright lights, encourage them not to use the high cabinet, store heavy objects at waist level and check the refrigerator for leaking water.
- Make sure your loved one doesn't get a foodborne illness by ensuring meats and vegetables are stored in sealed containers. Check the temperature of their fridge routinely; cold food should be stored at 40 degrees Fahrenheit or cooler. Reheated food should be no less than 165 degrees. Be sure your loved one stores any left overs in the fridge immediately after a meal. When in doubt, throw it out!
- If your loved one has dementia, it may be time to intervene with their cooking habits. Lock up sharp objects and knives, label everything and post reminder signs, use timers and pre-cooked foods to help your loved one remain as independent as they can. However, the time will come when it is no longer safe for you loved one to cook on their own. When that time comes, consider bringing meals over for them or start using one of the many different home-delivered meal options.
- There are many cooking aids made specifically for seniors. Some options for your loved one are: wide-handled utensils with non-slip grips, one-handed cutting and preparation boards, pot stabilizers and arthritic friendly bottle openers.

Additional resources:
comfortkeepers.com & agingcare.com

The Family Caregiver's Newsletter articles are created for Active Daily Living by leading experts in aging and also The Benjamin Rose Institute on Aging, a nationally recognized leader addressing the most important issues of aging through service, research and advocacy. As a champion for older adults, BRIA works to advance their health, independence and dignity. The organization has established itself as a trusted resource for people who counsel, care for and advocate on behalf of older adults throughout the U.S. - See more at: <http://www.benrose.org>

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Is Insulin Resistance a Recipe for Depression?

Active Daily Living

Insulin resistance can make you more than twice as likely to develop major depression, even if you haven't developed full-blown diabetes, a new study reports.

Initially healthy people who later developed prediabetes were 2.6 times more likely to experience major depression during a nine-year follow-up period, according to the findings.

"The insulin-resistant folks had two to three times the rate of developing depression," said lead researcher Kathleen Watson, a postdoctoral scholar at Stanford University.

Previous studies have shown a relationship between insulin resistance and depression, but this is one of the first to show that people who developed insulin resistance were more likely to become depressed later, Watson said.

It's troubling news for a major segment of Americans at increased risk for diabetes.

About 1 in 3 U.S. adults (more than 88 million) is estimated to have prediabetes, a condition where insulin resistance and blood sugar levels are increasing but there's still time to ward off the development of type 2 diabetes, according to the U.S. Centers for Disease Control and Prevention.

For the study – published Sept. 23 in the *American Journal of Psychiatry* – Watson and her colleagues analyzed data on more than 600 participants in a long-term Netherlands study of depression and anxiety. The people, average age 41, had never been troubled by depression or anxiety when they entered the study.

Regular physical exams allowed researchers to track three measures of insulin resistance – fasting blood sugar levels, waist circumference, and their ratio of triglycerides to "good" HDL cholesterol. The participants also underwent regular psychological evaluations.

The human body relies on insulin, a hormone produced by the pancreas, to convert blood sugar into energy. If your blood sugar levels remain high,

your cells can become less able to use insulin to convert sugar to energy. That's insulin resistance.

Eventually the body reaches a tipping point where insulin resistance is so strong that the body loses its ability to lower blood sugar levels without the aid of medication. That's when a person is diagnosed with type 2 diabetes.

As participants in this study became more insulin resistant over time, they grew more significantly at risk for depression. Researchers found:

- Every unit increase in the triglyceride-to-HDL ratio was linked to an 89% increased rate of depression.
- Every 2-inch increase in belly fat was associated with an 11% higher rate of depression.
- Every increase of 18 milligrams per deciliter in fasting blood sugar levels was linked to a 37% higher rate of depression.

Watching this evolution over time is "considered a stronger measure than just surveying a bunch of people with insulin resistance and seeing how many are depressed," said Dr. Timothy Sullivan, chair of psychiatry and behavioral sciences at Staten Island University Hospital in New York City. He was not involved in the study.

There are a couple of ways that insulin resistance could promote depression, Watson and Sullivan said.

Insulin resistance causes inflammation, and the biochemicals released during inflammation might have some effect on brain chemistry.

"Most would agree there is increasing evidence and interest in the role of inflammation in the development of depression," Sullivan said. "It's a topic that's still being studied."

It's also possible that insulin itself plays a role in brain health, and resistance to the hormone might throw your mood out of whack, Watson said.

For example, some receptors in your brain that respond to insulin also interact with cortisol, the "fight-or-flight" stress hormone, Watson said.

One other possibility is that insulin resistance and

depression share a number of common lifestyle risk factors, Sullivan said – excess weight, lack of exercise and unhealthy habits.

These study results raise the possibility that some people develop depression specifically because of their metabolism, Watson said.

Folks who are prediabetic can help ward off both diabetes and depression by taking steps to lower their blood sugar, Watson and Sullivan said. Eating right, exercising and reducing intake of alcohol and sugar all can help you maintain a healthy blood sugar level.

"I hope that we will have more specific answers going forward, because this covers a lot of people, right?" Watson said. "We need to know whether we can prevent the development of depression if we know someone's at risk, in this specific population. If we know that they're insulin resistant and they're at higher risk for developing depression, what can we do to reverse that?"

MORE INFORMATION

The U.S. National Institutes of Health has more about insulin resistance and prediabetes.

If you enjoyed this article, please check out Active Daily Living on the Generations' website homepage at www.generationsnetwork.org where you can access videos, articles and resources that are tailored to your needs on a variety of topics that focus on older adults and caregivers.



SOURCES: Kathleen Watson, PhD, postdoctoral scholar, Stanford University, Stanford, Calif.; Timothy Sullivan, MD, chair, psychiatry and behavioral sciences, Staten Island University Hospital, New York City; *American Journal of Psychiatry*, Sept. 23, 2021

Holiday-Proof Your Holiday Meal Plan

Excerpt from 5 Healthy Eating Tips for the Holiday – cdc.gov

You may not be able to control what food you're served, and you're going to see other people eating tempting treats. Meet the challenges armed with a plan:

- Eat close to your usual times to keep your blood sugar steady. If your meal is served later than normal, eat a small snack at your usual mealtime and eat a little less when dinner is served.
- Invited to a party? Offer to bring a healthy dish along.
- If you have a sweet treat, cut back on other carbs (like potatoes and bread) during the meal.
- Don't skip meals to save up for a feast. It will be harder to manage your blood sugar, and you'll be really hungry and more likely to overeat.
- If you slip up, get right back to healthy eating with your next meal.





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This project is supported by the University of Southern Indiana's Geriatrics Workforce Enhancement Program (GWEP) funded by the Health Resources and Services Administration (HRSA) of the U.S. Department of Health and Human Services (HHS). Proud partners are University of Southern Indiana, Deaconess Clinic, Generations and SWIRCA & More.

Incapacity And Guardianship In The Hoosier State – Part 2

Who Gets To Be Guardian If You Are Incapacitated?

Here's who the court considers in order of priority:

1. The person who you nominate as your health care representative or attorney-in-fact according to a durable power of attorney
2. A person designated as a standby guardian
3. Your spouse
4. Your adult child
5. Your parent
6. Someone named in your deceased parent's will
7. Someone who you are related to by blood or marriage who has lived with you for the last 6 months
8. Someone who you nominate as your guardian
9. Someone who the court finds to be best qualified

How Do You Obtain A Guardianship Over Someone?

In Indiana, guardianship is a court-supervised procedure. The Indiana probate court located in the protected person's county typically has exclusive jurisdiction over these proceedings. To become guardian:

- Get an attorney to help you with the process and applicable paperwork
- Gain a substantial understanding of the protected person's finances and health
- If the person is incapacitated due to their health, then obtain a letter or report from that incapacitated person's physician which verifies that the person is not able to manage their care and finances
- File a Petition for Guardianship with the probate court
- Notify the incapacitated person, their close family members, and those who have had custody over the incapacitated person or who have cared for them
- Pay the probate court a filing fee
- The court hears sworn testimony from witnesses who support or oppose the Petition, and determines if the evidence is sufficient to support your appointment as guardian
- The court determines whether to appoint you, and if so, the judge will issue you letters of guardianship enabling you to act on the protected person's behalf

A 2019 change in Indiana is guardianship law requires the Petition to include:

A description of the petitioner's efforts to use less restrictive alternatives before seeking guardianship, including:

(A) the less restrictive alternatives for meeting the alleged incapacitated person's needs that were considered or implemented;

(B) if a less restrictive alternative was not considered or implemented, the reason that the less restrictive alternative was not considered or implemented; and

(C) the reason a less restrictive alternative is insufficient to meet the needs of the alleged incapacitated person.

There may be critical issues that come up in the proceedings which impact the court's decision to appoint a guardian. Specifically, the court has to decide if the protected person is truly not able to make personal decisions and financial decisions. The court has to determine whether the person who is seeking guardianship or another person out to be appointed guardian. Also, the court has to consider who should have the ability to spend time with the protected person.

For this reason, you might have to provide the court with professional evaluations as well as guardianship plans for the care and treatment of the protected person or their property, or both. Also, the court will look into the criminal and civil background of the person who is slated to be guardian.

Guardianship Rules

Many Indiana Probate Code provisions apply to guardians and guardianship proceedings. If you are appointed guardian, be prepared to segregate your accounts from those of the protected person. You must also prepare and file an inventory of guardianship property with the court within 90 days after your appointment as guardian. A guardian must file a written report of the guardian's actions and the incapacitated person's status with the court every two years, so you'll also want to keep all receipts and statements and account for all transactions. As guardian, you are not responsible for the protected person's debt, but you could be liable to the protected person or other parties for fraud, negligence or bad faith. Remember that you have a fiduciary duty as guardian to act in the protected person's best interests. As for fees, you and your lawyer are entitled to be paid reasonable expense reimbursements and reasonable fees for time spent on guardianship business, but you should keep meticulous records of your time. Keep in mind that the court must approve your fee to determine whether it is reasonable.

Continued on Page 22

Incapacity And Guardianship In The Hoosier State – Part 2

Continued from Page 21

What Rights Does An Incapacitated Adult Have?

As an adult, you have the right to control your assets, get married, enter into contracts, join the military among other things. Your rights might be impacted if you are incapacitated and subject of a guardianship proceeding. However, as the incapacitated person in Indiana, you still have rights. This includes the right to:

- Vote
- Receive notice of the guardianship proceeding
- Be present at the guardianship hearing
- Have witnesses be present for questioning
- Present evidence
- Challenge the guardianship
- Visit family and friends

It is important to note that if you do not have an attorney for purposes of a legal proceeding that determines someone's guardianship over you or your property, then an attorney known as a guardian ad litem will be appointed to represent you. This type of attorney has a duty to uncover your best interests and advocate for you. A guardian ad litem specifically represents an incompetent person or minor person during litigation. Once that litigation ends, the guardian ad litem's authority ends.

Key Distinctions Between Guardian And An Attorney-In-Fact Or Health Care Representative

In Indiana, as long as you are an adult (at least 18 years old), and you are of sound mind (not incapacitated) and are not acting under fraud, duress or undue influence, then you could appoint an attorney-in-fact to watch over your finances and appoint a health care representative to decide matters concerning your health when you are unable. However, there are key differences between a power of attorney and guardianship:

- Guardianships might be voluntary or involuntary, while a power of attorney is voluntary
- Guardianships cannot be terminated unless by court order; while a power of attorney can be revoked quite easily
- Guardianships pertain to someone who is incompetent either due to their health or their age, while a power of attorney is created by someone who is competent
- Guardianships necessitate court proceedings, while a power of attorney can be created without court involvement
- A guardian has more formal accountability requirements than an attorney-in-fact or health care representative

Indiana Elder Law Lawyers

Guardianship is a serious legal matter that could affect you or a loved one's most sacred rights. Because of this, you should consult with an experienced attorney who is able to help you determine how to go about guardianship.

MORE INFORMATION

Find more information about these and other topics on YouTube and at www.HawkinsElderLaw.com. Facebook users can like @HawkinsElderLaw on Facebook. Twitter users can follow @HawkinsElderLaw. The LinkedIn crowd can follow us at <https://www.linkedin.com/company/hawkinselderlaw>. You can also call us at 812-268-8777.

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- Health & Wellness Programs
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- Options Counseling
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- Contracted providers allow us to offer transportation, adult day services and legal assistance.

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Dr. Leibe received her doctor of osteopathic medicine and masters of public health degrees at Touro University in Vallejo, California. She completed a general surgery residency at St. Anthony Hospital in Lakewood, Colorado. Dr. Leibe is a member of the American College of Surgeons and is certified in DaVinci robotic surgery.

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