



# HAILEY-PETTY

— LAW FIRM, PLLC —  
YOUR FUTURE IS OUR BUSINESS

## ESTATE PLANNING FOR THE SANDWICH GENERATION

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How to ensure you have the **right legal tools** in place to care for your aging parents, without sacrificing the **quality of care** and **attention** you can afford your own family.

✓ A COMPREHENSIVE GUIDE & CHECKLIST



## WHAT IS THE “SANDWICH GENERATION?”

The sandwich generation are adults who find themselves juggling the role of caring for their own family but also caring for aging parents at the same time.

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Research estimates that about one in seven Americans between the ages of 40 and 60 are simultaneously providing some financial assistance to both a child and parent. This can be emotionally, physically and financially straining, but it doesn't have to be.

If you find yourself part of this unique group, the following guide will provide strategies for how to start the conversation with your parents regarding their long-term care. By having a solid legal plan, you will have comfort in knowing that your parents will receive the best care possible without sacrificing your family's financial security.

“Being both **SOFT** and **STRONG** is a combination very few have mastered.”



## HAVING “THE TALK” WITH AGING PARENTS

Discussing long term care with aging parents can be intimidating.

No one likes to think about a time when their parents may be too old or too sick to care for themselves. But it is important to make informed decisions about the long term care options available to choose from. The longer you wait too, the more limited the options become. By making these decisions together, you can make sure that your parent's age on their own terms.

When you have decided you are ready to sit down and speak with your parents, make sure you do some legwork ahead of time. It's important to research, have a goal for the conversation and prepare yourself for a reluctance to talk about this topic. Perhaps put together some talking points or a checklist so if the conversation does go awry you can steer it back on track.

If you are still nervous about starting the conversation, a good segue is to ask your parents about their plans for retirement. As the discussion progresses, ask questions that include whether they have a current will, a power of attorney appointed, and a living will. This should help ease you into questions surrounding their preferred doctor and their overall standard of living including housing and their choice of a caregiver.

The discussion about long term care planning is not something that can be accomplished in one sitting. Listen to your parent's needs and desires in order to help you review different options for receiving funding for long term care. Accompany them to meetings with current financial professionals and suggest hiring an elder attorney to assist in the planning process.

“ Sometimes the most **IMPORTANT** conversations are the most difficult to engage in. ”

–Jeanne Phillips

# CONVERSATION STARTERS



Sit down with your parents in a relaxing and non-threatening environment. Review the following topics with them and remind them that there are no right or wrong answers. Ask them for their honest opinion in answering these questions:

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## ✓ Lifestyle Questions:

- What do you envision for your later years?
- How would you deal with a life-changing situation?

## ✓ Financial Questions:

- How are the bills getting paid right now?
- Is there any discretionary income available that can be redirected?

## ✓ Legal Questions:

- Do you have an up-to-date will, power of attorney, a living will, and a power of attorney for health care?
- Do you have an estate plan?

## ✓ Medical Questions:

- Is there a family health history readily available?
- Who are the doctors coordinating medical care?
- What kind of lifesaving procedures would they want performed if necessary?

By starting out with these basic questions, you might find that your parent's wishes differ from what you believed them to be. This will also clarify what your duties as a caregiver will look like.

# HEALTHCARE QUIZ

The healthcare quiz is a valuable tool to use when planning for long term care with your parents. Have your parents complete one copy of the quiz and you complete one based on what you believe their wishes would be. Once complete, compare the answers.

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- 1 If you had a degenerative disease that became so advanced that you were no longer able to be spoon fed, would you want to have a feeding tube inserted through your stomach?  
 Yes  
 No  
 Uncertain
- 2 You are gravely ill and your doctor recommends you undergo chemotherapy, which has many unpleasant side effects such as nausea, vomiting, fatigue and pain. This treatment option provides less than a 5% chance of regaining your health. Would you undergo the treatment and suffer through the side effects?  
 Yes  
 No  
 Uncertain
- 3 Imagine the same scenario as above, however your condition is terminal and the treatment may only extend your life for 6 months. Would you endure the side effects for this chance?  
 Yes  
 No  
 Uncertain
- 4 Which is your biggest end-of-life fear?  
 Loss of cognitive abilities  
 Constant pain  
 Causing financial stress for loved ones
- 5 Consider a situation where you were terminally ill and in constant pain. Would you accept being sedated to a state of unconsciousness as the only way to control the pain?  
 Yes  
 No  
 Uncertain
- 6 You have just had one leg amputated due to circulatory issues. You are currently facing the amputation of your second leg, as your condition could be fatal. Would you choose to have your leg amputated?  
 Yes  
 No  
 Uncertain
- 7 Which is more important to you: having your specific wishes carried out at the end of your life, even if your family members or friends have different wishes, or have the wishes of your family and friends carried out in order for them to feel comfortable with whatever decision is made?  
 Follow my wish, even if it causes disagreement  
 Follow the wishes of my family and friends to avoid disagreement  
 Uncertain

# HEALTHCARE QUIZ (CONT'D)

- 8 Consider a situation where you live in a nursing home and need assistance with most of your daily living activities. You develop several serious lung infections over the course of a year, all of which require hospitalization. The next time you get a serious infection, do you want aggressive treatment or palliative care until death occurs?
- Aggressive treatment  
 Palliative care  
 Uncertain
- 9 Would you want to donate your organs at death if they could be used to save lives?
- Yes  
 No  
 Uncertain
- 10 If a feeding tube is necessary to keep someone alive, even if there is little chance of recovery, should it be inserted?
- Yes  
 No  
 Uncertain
- 11 If a treatment is started to keep someone alive, is it okay to withdraw the treatment if it has had a negative impact on their quality of life?
- Yes  
 No  
 Uncertain
- 12 Should a dying person be given comfort care at home, or be admitted to a hospital?
- Comfort care at home  
 Admitted to a hospital  
 Uncertain

## ABOUT THE HAILEY-PETTY LAW FIRM

Addressing legal issues impacting the future of your family or business can be difficult. Fortunately, with the proper legal counsel, it doesn't have to be.

At the Hailey-Petty Law Firm, PLLC, we represent clients facing estate planning, trust management, and probate issues in the Austin area.

✓ Estate Planning

✓ Probate & Trust Administration

✓ Long-Term Care Planning

Contact us to schedule a **free 30-minute consultation** to discuss your estate and long-term care planning needs. We are here to help guide you through the process.

