

Legal & Elder Rights Protection Checklist

Secure Legal Representation

Legal professionals help protect seniors' rights, financial security, and ensure that their personal wishes are legally documented. Proper estate planning and legal oversight can prevent potential disputes and ensure peace of mind.

- ☐ Find an elder law attorney specializing in estate planning, Medicaid eligibility, and guardianship: NAELA.org
- ☐ Ensure wills, trusts, and power of attorney documents are up to date to avoid probate complications.
- ☐ Establish a healthcare proxy and advance directives to outline medical preferences in case of incapacitation.
- ☐ Review state laws on elder rights, long-term care policies, and Medicaid asset transfer rules.
- ☐ Consult with a legal expert about long-term care insurance and asset protection strategies.
- ☐ Set up a financial power of attorney to allow a trusted individual to manage financial matters if needed.
- ☐ Periodically review and update all legal documents to reflect any changes in family or financial circumstances.

Protect Against Elder Abuse and Fraud

Elder abuse, financial fraud, and scams are growing concerns. Seniors should be aware of common fraudulent schemes and take steps to protect themselves from financial exploitation.

- ☐ Report suspected elder abuse, neglect, or financial exploitation to Adult Protective Services (APS): NAPSA
- ☐ Educate seniors about common scams, including IRS impersonation, Medicare fraud, lottery scams, and fake tech support calls: FTC Scam Alerts.



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- ☐ Set up fraud alerts and credit monitoring services to prevent unauthorized use of personal information.
- ☐ Regularly review bank and credit card statements for unusual or suspicious activity.
- ☐ Register phone numbers with the National Do Not Call Registry to reduce telemarketing scams: [DoNotCall.gov](https://www.donotcall.gov)<https://www.donotcall.gov>
- ☐ Secure personal documents, Social Security numbers, and financial records to prevent identity theft.
- ☐ Designate a trusted family member or financial advisor to oversee financial transactions and alert seniors of suspicious activity.
- ☐ Be cautious of caregivers or acquaintances requesting financial assistance or access to accounts.

Ensure Legal Protections for Aging in Place

Seniors who wish to remain in their homes should take legal steps to secure their housing situation and protect their rights in case of emergencies.

- ☐ Review property ownership and title arrangements to ensure smooth transition in case of incapacity or death.
- ☐ Consider adding a trusted co-signer or setting up a transfer-on-death deed to avoid legal disputes.
- ☐ Create a written home care agreement if receiving in-home care from family members or private caregivers.
- ☐ Research tenants' rights for senior renters, especially those in subsidized housing or assisted living facilities.
- ☐ Plan ahead for potential Medicaid estate recovery rules that may impact home ownership.
- ☐ Explore options for long-term care Medicaid planning to protect assets while ensuring eligibility.



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