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SO THIS ESTATE PLANNING STUFF REALLY WORKS!

Throughout my many years of working in the area of estate planning, I have prepared countless numbers of estate plans, thereby preparing my clients with the essential instruments necessary for the preparation of a smooth transition when the life of a loved one passes. These instruments typically include Wills, Trusts, Powers of Attorney, Living Wills, Health Care Medical Authorizations and Designations of Health Care Proxies (agents).

The most complex instruments on the list are the Wills and Trusts. The remaining instruments, although rudimentary, are often more necessary. Yet, my clients tend to treat them as a side bar to the more complex instruments until I relate the unquestionable necessity of instruments that focus directly on issues relating to the care of a loved one when they cannot care for themselves.

As a Trust and Estates attorney, I, like my colleagues, am routinely immersed in issues relating to Wills and Trusts, which consume a fair amount of my time even after the instruments are executed. After death, estate lawyers are typically contacted to work with the Executor to assist in probating the estate that we had prepared months or years prior. However, we rarely get insight on our clients' use of living instruments.

Recently, I experienced first hand just how well these instruments work. I had been contacted by a dear friend who had advised me that his wife, also a dear friend of mine, who had been battling cancer for years had a Last Will & Testament, but no health care related instruments. He was concerned that when she eventually took a turn for the worse, health care issues would become complicated if something wasn't in place. As a result of that call, I prepared for her a Living Will, which clearly set forth her health care desires, a Health Care Proxy designating my friend as her agent to make all of her health care decisions when she was no longer capable of making those decisions herself, a Power of Attorney to present to financial institutions in order to keep necessary funds available, and a HIPPA medical authorization giving him the right to review her un-redacted medical history if necessary. All were executed properly, placed in an envelope and given to my friends with a sigh of relief in response.

Not long after that, her condition took a drastic turn, as cancer often does. She became weak and often incoherent. Her ability to make decisions became impossible. As these people were very close to me, I became a mainstay in the process, visiting often and assisting the best way I could, as a friend, not a lawyer. When that time came, my friend was able to produce the instruments to medical providers, financial institutions, family members etc., and through this process, he was able to legally make the necessary decisions critical to both the continued care

of his wife, and the seamless availability of finances, which, I can tell you now first hand, medical insurance and Medicare never covers enough.

One dear friend has now passed away and the other is in his mourning process. In conversations we've since had he continues to thank me for all I had done. As I think back, from an estate planning perspective, I realize just how paramount his decision to prepare for the inevitable was. I always knew that estate planning, from a health care perspective, is a necessary evil. Being a part of it myself has now confirmed that.

Anthony J. Medico, Esq., has practiced law for over 27 years. To ask a question regarding this article, send an e-mail to info@medicoandassociates.com or call us at (203) 661-8151. To read more highly informative Estate Planning articles, visit our website at www.medicoandassociates.com, where you can also download our free Estate Planning Survival Guide. Enjoy.

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