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*Elder Law – Estate Planning – Probate & Trust Administration – Aggressive Litigation*

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March 25, 2020

### The Casiano Law Firm Remains Open and Available to Assist

First let me say that I hope all of your family members and loved ones are safe and are taking the appropriate cautions to stop the spread of this dastardly virus. I certainly understand that you are concerned about the potential health impact of the coronavirus on your family, friends, colleagues and community. **I remain committed to assisting all of you with your estate and long-term care planning needs.**

### Estate and Long-Term Care Planning is Essential

While health issues are of paramount importance for you, if nothing else this virus has us all considering what would happen to our family and loved ones if we did succumb to the virus and it left us incapacitated or worse yet we did not survive. It is therefore more important than ever to ensure that you have a comprehensive estate plan in place now to protect those you care most about. The Casiano Law Firm remains open and available to help all of you create a new plan or review and revise an outdated one. **I am always available to consult with you via phone.**

### Health Care Documents of Primary Importance

Advance Health Care Directives and authorizations to disclose protected health information are crucial to have in place. Please understand that check the box forms which I used to tell people are better than nothing, may in fact be worse than nothing in certain cases. All of your health care documents need to be reviewed carefully as they may include do not resuscitate orders and prohibition of artificial nutrition and hydration. **Many of these documents missed, and especially standard forms obtained online or elsewhere, may contain language that could be completely contrary to what you might wish to have done during the coronavirus.** Some of these documents may prohibit intubation under all circumstances. If you are not presently in a terminal condition and contract coronavirus, since it is a lower respiratory tract infection with symptoms felt in the chest and lungs, it is possible that you would need to be intubated to survive it. Many people who sign such prohibitive forms have in mind an extended stay in a hospital connected to an array of tubes being artificially kept alive.

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### Trust Wills and Powers of Attorneys

With respect to Trusts, Wills and Powers of Attorney - if you do not have these documents in place, for most it is not because you do not believe they are important or even essential, but you just have not had the time to get around to it. Well a lot of us now have more time with reduced work or being forced to work from home. **So now is an opportunity to start the process to do create an estate plan which includes all the documents you need to protect your loves ones.** And this entire process other than the signing meeting can be done from the comfort of your home with the use of conference calls and for those that have a computer and the internet, online meetings and screen sharing is so easy to use. Technology has become so easy to use that it only takes a couple of mouse clicks to use these communication tools.

### Medi-Cal Eligibility

The cost of medical care including long term care even if you have insurance remains ridiculously expensive and unaffordable to many families. **Therefore qualifying for Medi-Cal is sometimes necessary.** The rules surrounding eligibility are confusing at best. I am here to help obtain Medi-Cal benefits for those in need.

### Planning Opportunities

The stock market has been adversely impacted. The impact on businesses, especially closely held businesses, could be dramatic and negative for many, although the actual impact will vary significantly by the type and nature of business.

You may be aware that the Secure Act which went into effect on January 1, 2020 drastically changed the way inherited IRA's will be treated. Many beneficiary designations need to be reviewed and possibly changed and trusts language regarding retirement plans needs modifications. These changes along with the loss of value of most investments suggest revisiting retirement plans, estate plans, financial models, business succession plans, and much more.

**While again worries of health and financial security matters should be paramount, I would be remiss not to make my clients aware of these circumstances.** These changes along with the loss of value of most investments suggest revisiting retirement plans, estate plans, financial models, business succession plans, and much more.

My role as an attorney and counselor is to provide options on how to react and to let you know that I am here to help should you need it. During this difficult time, I hope that you and your family stay safe and healthy. Please let me know if there is anything I can do to advise or assist.

Sincerely yours,

Vincent M. Casiano, Esq.