

JANE (2015)

I was appointed guardian of the person and estate for Jane (not her real name) in June of 2014 she was 95. Prior to the guardianship she had many friends helping her with her life. Some were good and some bad. The person she decided to trust the most and make her Power of Attorney turned out to be less than interested in what was best for Jane and more interested in what was the easiest and cheapest for him to manage from afar.

Jane had lived the last 60 plus years with her partner until his death. Both were fiercely independent and self-sufficient. They traveled, spent most of their time outdoors, and had many friends. They had always worked “off the grid” and had amassed a small estate consisting of investments in the neighborhood of \$300K, a home, and a few cars. Her partner had been dead 10 years when she started to need help. She had no family and at 95, most of her long-time friends had passed away and the ones left were easily bullied.

Jane was moved from her home to a small low-income senior housing apartment complex. The POA hired another friend to manage Jane’s care and make sure her needs were met. The POA moved assets to make it look like Jane was impoverished so she could qualify for the low-income senior housing. The POA managed to drive the 150 miles to check on Jane a couple of times over a one-year period. Both times the POA came to liquidate an asset.

Once Jane was moved to the apartment, the care manager discontinued the cable TV, the newspaper, the phone, and mail service. Jane’s identification, hearing aide, glasses, checkbook, and car were taken away. Caregivers were hired to come in four hours a day to make meals, dress Jane, and get her back to bed. The caregivers were forbidden to take Jane out of the apartment for any reason. The curtains were drawn and Jane, who had been an avid outdoorsman, was not allowed to see outside or go out. Two friends who had been approved by the care manager were allowed to visit for only fifteen minutes each visit. During this time the care manager managed to get Jane to sign over her home to her and both of the vehicles. The POA had no objection to this as the care manager was having to do so much for Jane, he felt it was the least he could do. Over time, all of Jane’s personal belongings, jewelry, furnishings, and such seemed to just vanish. Jane gave up and decided that death was certainly better than what she had. This alarmed a caregiver who started to question the decision to keep Jane isolated. When the caregiver questioned this she was fired by the care manager and threatened with retribution if she tried anything “funny.” This

caregiver called Adult Protective Services. Thus began the saving of Jane.

The APS worker contacted the POA and started an investigation. The care manager who professed to only have Jane's best interest at heart suddenly went underground and no one knew where she was or how to find her. A family friend of Jane's, who was an attorney, was contacted and he mentioned the home and investments to the APS worker. Eventually the APS worker found the home that had been signed over and the investments that were now in the POA's hands. APS petitioned a guardianship in 2014, the POA washed his hands of everything. The care manager was sued to get the house back.

Enter the guardian.

I met Jane in her apartment. She was angry, frightened, and defeated. She had some dementia and memory issues. She was weak and could no longer ambulate on her own. She was only awake six to eight hours a day. She couldn't see or hear well. She was embarrassed and ashamed because she had been victimized by the people she had trusted. A once proud and independent woman had been reduced to a dependent woman/child. When asked what I could do to make her life better, she said, "Shoot me." She thought I would be just one more person "in charge" of her and nothing would get better. She didn't know if I would do anything. What if I made it worse? I brought back the caregiver who had been the whistle blower because she made Jane feel safe. I immediately got the phone turned back on, cable TV started, newspaper, and mail service started I purchased new glasses, a wheelchair, and a walker so she could get out of the apartment. Eventually hearing aids were purchased.

The care plan included eight hours a day of caregivers with the directive that she was to be outside for walks, taken shopping, and brought out of the apartment every day if she was up to it for coffee hour in the common area with the neighbors. Once the caregiver was sure that I wanted Jane to have as many opportunities to socialize as possible, she started getting Jane out for the luncheons and entertainment that was provided as well. At Christmas the caregiver and Jane decorated her front door and had a Christmas tree. Then they propped the front door open and put a sign out inviting people in for cookies and coffee. They had the open house for four hours. Jane said it was the best Christmas she has had since the death of her partner.

Jane had not seen a doctor in many years and fortunately when we had her

checked out, other than being underweight, she was in good health. It was a good thing, because she informed me that she didn't go to doctors because people only get sick after the doctor tells them they are sick. Then she proceeded to tell me about setting her own broken collar bone when she was younger. Yep, she was a tough one.

Jane had a True Link debit card that I funded so she had discretionary monies to use to go out to lunch or buy what she wanted without anyone's permission. It took her a while to trust that I was serious with that idea. She initially used the card cautiously and the caregiver told me that she kept waiting for me to chastise her for spending. When I only asked if she had enough on the card or did she need more and I didn't ask what she bought, did she finally believe that I was serious about it being her money. I monitored the card on line to make sure the purchases are hers and the card is not misused. She did not have to know that.

As I restarted Jane's life she was nervous. There were bumps along the way. Many bumps. Jane was always waiting for me to take things away or go back on promises. It took a long time to get to where we are now. I learned that she had never worked "on the books" and therefore did not qualify for Social Security and had never signed up for Medicare. She couldn't afford the premium with the penalty for insurance. A big bump happened when Jane's caregiver went on vacation and the care agency did not have caregivers for one weekend. I had to temporarily move her to skilled nursing for two days. She was frightened, furious, and felt powerless. Who knew a 97 year old woman could stage a coup attempt to overthrow a facility from a wheelchair. She went on a hunger strike. I am sure that was the longest two days for the facility. The staff at the facility admired her will and did their best to reassure her that it was really temporary. I went both days to assure her that it was only temporary but she wouldn't speak to me. Jane was NEVER going back to being a victim again. She had found her voice again. She had a life she loved and no one was going to take that from her. She did not trust me when I said it was for two days only and not forever. I have been forgiven now, because I took her home in two days. She was surprised that I had kept my word.

At the age of 97, Jane is 97 was no longer the subdued, broken woman I met was a feisty don't-mess-with-me lady. She planned on living a long time. Life is good. My next big hurdle is her longevity. Jane is starting to come to the end of her investments, the house has been sold, and she has enough money to continue in her apartment with caregivers for another year. It is clear that Medicaid is in her future. It is also clear that a nursing home is not the answer. I am mulling over ideas and trying to

think outside the box. The one clear thing that I know is this: Jane will have a say in whatever decisions are made. The decisions will support as much as possible Jane's quality of life. Epilogue to come...

*What is the role of a guardian? It is whatever it takes to create a safe and meaningful environment for their client. Meaningful is defined by the life lead by the client prior to the guardianship when things were good and what the client can do now. It will be different every time. It will be challenging. It will make you think outside your own comfort zone. It will not meet everyone's expectations perfectly. While I can't facilitate unsafe or irresponsible decisions. I can offer options and an open mind. I can offer sincerity and respect.*