

Checklist for Long Term Care Planning

I. Power of Attorney for General and Financial Matters

- I know the location of the original and have access to it.
- It is “durable” (it has language indicating that the power of the agent continues even when the principal is incapacitated)
- It became effective when it was signed (immediately), or
- it will only become effective upon a doctor’s written letter and I know the name and address of the doctor
- The attorney-in-fact (the agent) has power to make gifts of the principal’s property without limitation or restriction.
- The document allows the agent to revoke any community property agreements and to change beneficiary designations
- The document allows the agent to deal with the attorney who drafted the document
- There is an alternate attorney-in-fact in case the first agent is unable to serve

II. Power of Attorney for Health Care Matters

- I know the location of the original and have access to it.
- It is “durable” (it has language indicating that the power of the agent continues even when the principal is incapacitated)
- It became effective when it was signed (immediately), or
- it will only become effective upon a doctor’s written letter and I know the name and address of the doctor
- The attorney-in-fact (the agent) has power to request medical records
- The attorney-in-fact is requested to honor the principal’s Health Care Directive (Living Will)
- The document allows the agent to deal with the attorney who drafted the document
- There is an alternate attorney-in-fact in case the first agent is unable to serve
- The doctor or Health Maintenance Organization has a copy of this document

III. Will or Living Trust

- I know the location of the original and have access to it.
- The Will or Trust still accurately reflects my wishes
- The people named as personal representative or trustee and alternate are still appropriate

IV. Community Property Agreement

- I know the location of the original and have access to it

V. Health Care Directive

- I know the location of the original and have access to it
- The document still accurately reflects my wishes
- The doctor or Health Maintenance Organization has a copy of this document

VI. Assets

- I have an accurate list of the current fair market value of all of my assets & debts
- I have a list of all of my life insurance policies and their cash value and death benefit
- I know which of my assets do and which do not pass as joint tenancy with right of survivorship
- I know the beneficiary and alternate beneficiary of each of my assets which pass directly to a named beneficiary, such as life insurance, IRA and some bank or brokerage accounts
- If my estate is over \$1,000,000 (including the death benefit value of life insurance) then I have had my estate reviewed by an estate planning attorney to avoid estate taxes
- I have considered long term care insurance and either do not qualify, do not feel it is appropriate, or I do have a policy and I know the location of the original, the amount of the benefit, and the limits on the policy

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