

# GUARDIANSHIP & CONSERVATORSHIP

## WHEN TO CONSIDER GUARDIANSHIP OR CONSERVATORSHIP FOR A PATIENT:

1. Failure to qualify for ALTCS
2. Patient's family unable to access funds
3. No family available to make health care decisions
4. Bank refusing to provide documents
5. Family refusing to cooperate
6. Agent under Power of Attorney acting in bad faith

## WHAT'S AT RISK?



- Facility bears the cost of patient care if there is no authority to move them
- Facility is financially responsible if ALTCS efforts fail
- Facility liability



**Guardianship** is authority granted by the court to make decisions for an incapacitated person regarding their health.

**Conservatorship** is authority granted by the court to make decisions for an incapacitated person regarding their finances and assets.



**Call 1.800.243.1160**

for an initial consultation.

Offering Statewide Service

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POWERS OF ATTORNEY, both health care and financial, can be very effective tools in helping to protect your patient. However, a **POA cannot override a person's own choices for where they live or how they spend their money.**



## How Can JacksonWhite Attorneys at Law Help?

- Protect the facility from liability
- Help appoint a private fiduciary to complete ALTCS & spend down
- Facility reimbursement when applicable
- Reduced fees for guardianship/conservatorship & ALTCS combo cases

**Schedule an initial consult today to determine if guardianship or conservatorship is the right option for your patient.**



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