



**Financial
&
Legal**

WHAT DO WE DO NOW?

by C. Casey White, Attorney at Law

The average life span of a individual living in the US has gone from 68.14 years in 1950 to 79.4 years in 2025. This means that there are individuals living into their eighties, nineties, and even their hundreds. According to the Center for Disease Control and Prevention, 1 in 9 Americans 65 and older have dementia. The good news is that 8 in 9 Americans over 65 don't have dementia. However, that still leaves the other 1 in 9.

There is a lot of information on the internet regarding the first signs that a person may be in trouble as dementia usually starts gradually. When a person's capacity to deal with finances and every day tasks becomes compromised because of dementia, a guardian and/or a conservator may need to be appointed for that person (hereinafter "Protected Person" or "PP"). To start the process, a petition is filed with the Court for the appointment of a guardian and/or conservator. The Protected Person is served with the petition along with a notice of time in which to respond. The Court appoints a court visitor who interviews all of the interested parties, including the PP, the PP's doctor, the PP's relatives, and any other persons who may have knowledge about the PP. The court visitor then files a report with the Court of their findings based upon the interviews. Depending on whether there are any objections to the petition and the court visitors' recommendations, the Court will either hold a hearing, or appoint a guardian and/or a conservator.

A determination that the PP needs to be placed in memory care raises the issue of how the care will be paid for. What if the PP does not enough resources to pay for their care? This is a

dilemma that is all too frequently faced by guardians, husbands and wives, and children and parents, whether or not there is a guardianship. The answer may lie in an Income Cap Trust ("ICP") which may be used to help a compromised individual to qualify for Medicaid. ICT's are irrevocable and fall under Section 1917 (d)(4)(b) of the Social Security Act. The only assets which may be placed in the ICP are the PP's income, often comprised of social security and/or small pensions.

The requirements for a ICP must be strictly met and include an income limit and a resource limit. Currently for a single PP the income limit is \$2,982 a month and countable resources are \$2,000 or less in cash, bank accounts, stocks, bonds, IRA and cash values in life insurance. Exempt assets, which do not count as resources, include a residence (with equity limits), one car, personal belongings, and limited burial funds. An additional requirement is that the PP must not have transferred assets within the last 5 years as a gift or for less than fair market value.

The Oregon Department of Human Services has information on Medicaid long-term care benefits available for persons of limited income and resources on its website. Another useful website for information is MedicaidPlanningAssistance.org provided by the American Council on Aging - simply type Oregon Medicaid Eligibility 2026 into your web browser.

For more information, call (541) 779-4912 or visit ccaseywhite.com.

This article is for educational purposes only and does not provide specific legal advice. The information should not be used as a substitute for competent legal advice from an attorney familiar with your personal circumstances and licensed to practice law in your state.



Jacksonville Museum, circa 1984.

The **SILVER PAGES**
OF JACKSON AND JOSEPHINE COUNTIES

Articles • Things to do • Dining Guide & More

Available In Over 200 Locations In 12 Cities
In Jackson & Josephine Counties

A SENIOR INFORMATION PUBLICATION

541-779-4839

C. Casey White

- Attorney at Law
- Wills • Probate
- Trusts
- Conservatorships
- Guardianships

www.ccaseywhite.com
P.O. Box 1768
Medford, Ore 97501
(541) 779-4912



■ **Attorneys**

White, Casey **541-779-4912**
P.O. 1768
Medford, OR 97501
Please See Advertisement This Page

■ **Medicaid Counseling**

Aging and Disability Resource Connection (ADRC) **541-618-7572**
2860 State St. **541-776-6222**
Medford, OR 97504

2101 Hawthorne Avenue **541-474-3110**
Grants Pass, OR 97526

Financial Aid Center for Long Term Care **541-479-2415**
531 NE "E" Street Suite B
Grants Pass, OR 97526
Qualify for medicaid and save assets.

■ **Retirement Planning**

American Senior Benefits **541-500-1050**
60 North Fourth Street
Central Point, OR 97502
Please See Advertisement Page 58

Garage Door Maintenance Tips to Prevent Your Door from Breaking Down

Submitted by Overhead Door Company of Rogue Valley

A garage door is a deceptively simple-looking mechanism. A door opening and closing on a series of rollers or arms does not look very threatening. Pushing a button to move a garage door doesn't take much effort, so it doesn't seem like it could be very dangerous — this is not true. A garage door is relatively easy to move because there are springs balancing the weight of the door. If you have ever seen a garage door with broken springs, you know just how heavy they are and how great a potential for injury there is.

While you should not attempt to make major repairs such as replacing panels, springs or rollers to a garage door, every homeowner should conduct regular basic maintenance and inspections to spot problems before they become serious. The following maintenance tasks are well within the reach of the average homeowner, and should be performed regularly.

Lubrication: A noisy garage door is an unnecessary annoyance. Do not make the mistake of attempting to lubricate your garage door with WD-40. It may be very slippery, but WD-40 was not designed to be a long-term lubricant. Use a lithium or silicone spray to lubricate metal parts such as chains, rollers and hinges.

Replacing Weather Seals: The weather seals are the soft rubber or plastic material on the bottom and sides of your garage door. When your garage door comes all the way down, this

weather seals may last five to 10 years. On the bottom of the door, there is often a track that the weather seal will slide into. Cut off a short piece of your weather seal before you go to your local distributor to make sure you get a piece that will fit on your door.

Realigning Garage Door Sensors: Your garage door opener depends on sensors to detect when the door is all the way up or down, as well as when there is an obstruction that may keep the garage door from closing. If the sensors get out of alignment, your garage door may not function properly or the safety features may be disabled. The obstruction sensors are typically located at the bottom of the door, on either side. The sensors can easily be bumped by people, bicycles or garden tools. It should not take more than a gentle push to realign them. There are usually indicator lights on one or both of the sensors. Try interrupting the beam with your hand to see how the sensors react. Adjust the sensors using your hands until they have a direct line of sight. If your sensors are in alignment, and they are still not working properly, check to make sure they are clean. Something like a spider web may be just enough to block the sensor.

If you have questions about any of these procedures, or think that your garage door may have become damaged, contact a trained professional immediately. Do not take chances with your home and your safety. Whether you need maintenance, repairs or a replacement