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Hamilton, NJ 08619
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Philadelphia

1515 Market Street
Suite 1200
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215.546.5800

Lower Bucks County

Seven Neshaminy Interplex
Suite 403
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215.546.5800

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150 N. Radnor Chester Road
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Radnor, PA 19087
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My Dad's Last Bucket List Wish

By Jennifer Rhine, CDP, CALA, PAC CIT, Rothkoff Law Group Outreach Coordinator

Having chosen a career working with seniors and specializing in supporting those living with dementia, you would think I would be fully prepared when my father was diagnosed with Alzheimer's and vascular dementia. However, no one can truly prepare you for that news and the realization that everything will be different. I have learned many lessons on the care journey with my father. The most important lesson I learned was to buy the ticket, take the ride. Let me explain.

In July 2023, my dad, Richard Riggs, was rushed to the hospital showing signs of being septic from a wound on his foot. Since it is not easy to manage a diabetic's foot care with cognitive impairment, it became a critical situation. However, the real struggle was navigating what would be the best medical decisions for someone living with dementia. While we were in the hospital, said to my dad, "OK bucket list time—where are we going?" I was hoping he would say Bermuda, as that was a favorite vacation for him, but instead he said Vermont. Vermont has held a special place in his heart. It was where he spent his twenties living his dream of playing with his band, *Adom*, at the local bars, particularly The Pickle Barrel. He was a local celebrity and enjoyed playing all night, and skiing all day. It was the time in his life that made him feel so accomplished yet so fun.

It was decided we would take what I knew would be his last trip to Vermont. That became the goal for both of us.

I knew, without an amputation, something we were not willing to do based on his struggle with dementia, we were on borrowed time. I say that reluctantly because one of the hardest messages I must deliver to families as I educate them on dementia is that it is a terminal disease.

Though the end may look very different and the timeline is not always known, the fact remains that somehow dementia will take your loved one.

I knew the timeline was closing in. After the hospital, my dad entered rehabilitation as he needed skilled care. I was very nervous but hoped we would be able to get him to Vermont. He did not make it easy—he refused to leave the wound vac in place, pulled his PICC line out a time or two, and would not stay off his foot. On those challenging days I would say to him, "Dad, please cooperate so you can get strong enough to go to Vermont." Each time he would respond, "I would love to go to Vermont." It would help calm him down, and also give him a reason to cooperate. Eventually we arrived at discharge day.

Unfortunately, his foot was not improving. In fact, it was getting worse and we knew it was going to be a challenge to make this trip work. Although friends and family said the Vermont trip would be too difficult, I was raised by my stubborn father and something in my gut told me to fight through the hurdles and get to Vermont. We stayed the course, and the weekend finally came.

(Continued inside on page 3)



New Law Sets Requirements for Home Caregiver Employment in New Jersey

If you employ a private caregiver or you are a home care agency, you should be aware of a recently passed New Jersey law impacting you. On January 12, 2024, New Jersey's Governor Murphy signed into law S-723/A-822, dubbed the "Domestic Worker Bill of Rights Act". The law will take effect in July, 2024. Here are some highlights of the new law.

A "hiring entity" is an "employer" and includes individuals as well as companies. If work will exceed 5 hours per month, a written contract is required which specifies duties, base wage, overtime wage, weekly schedule, manner of payment, breaks, leave or sick time, paid holidays, sleeping period, personal time, value of housing provided, and transportation requirements. The agreement must be in English and such other language which is preferred by the worker. The State will provide sample contracts.

An uninterrupted 30-minute meal break is required every 5 hours and the worker must be paid for that time if they are required to remain on duty due to the nature of the job. A "live-in" domestic worker may not be required to work more than 6 consecutive days for the same employer without a 24-hour rest.

Additionally, the employer must provide 2 weeks advance notice of termination, and 4 weeks notice for live-in

employees, except in cases of significant misconduct. However, in cases of privately-hired domestic workers, the notice requirement does not apply if "there is no longer a practicable need for the position," such as death of the person being cared for or relocation to a health care facility.

The law has additional provisions that are intended to protect the privacy and dignity of the employees, and to protect their ability to assert the rights that are granted by the law. For example, no employer shall threaten to report a worker's suspected citizenship or immigration status if the worker asserts their rights under the law. An adverse action within 90 days would be presumed to be retaliatory. There will be a new Domestic Workers Enforcement Program, so we can expect regulations to be issued pertaining to complaints, investigations, enforcement and penalties.

For people who apply for Medicaid home care programs, having a signed employment contract with their caregiver might help them avoid "transfer penalties" for payments made during the 5-year lookback. We have been and continue to assist our clients to establish contracts for home health employment. Should you have any questions regarding this new law, please feel free to contact our office.

Resources for Your Use

Rothkoff Law Group strives to be a resource and would like to assist you in understanding the challenging issues seniors and their caregivers face on a daily basis. We hope the resources provided are useful to you.

We have the following resources that are available for download on our website, www.rothkofflaw.com/resources/

1) Senior Guides - Printed Senior Resource Guides are available for both New Jersey and Pennsylvania. Guides contain local, state, and federal resources for seniors, updated and reprinted annually.

2) VA Nuts and Bolts Guide - Our VA Guide details the benefits available to our veterans, as well as the eligibility

criteria and application process.

3) Elder Care Box - As you consider your legal, care, and financial options we hope these resources will provide you and your family guidance.

4) Elder Law Quick Facts - A handy quick reference guide to Medicare, Medicaid, and VA financial information.

5) First Step Card - Request referral cards that can be provided to seniors, the disabled, or their caregivers who may need our assistance now or in the future.

6) Digital Brochure - Download our interactive Digital Brochure to learn more about our services and how our team of professionals can assist you and your loved ones with elder care needs.

7) 2024 Create-a-Calendar - Each month features artwork created by New Jersey and Pennsylvania senior care facilities' residents and staff.

8) Rothkoff Law Activity Book - Designed for cognitive thinking while having fun. Includes puzzles, word searches, and coloring pages.

9) The Unintentional Advocate: My Journey as an Elder Care Attorney - A 20-year reflection on advocating for seniors, written by Jerold E. Rothkoff, Esq.

10) A Life Care Plan: Helping You Navigate the Aging Journey - A book that explains (in layman's terms) what a Life Care Plan is, how it works, what is included, and who benefits from this integrated approach to elder law.

THE ROTHKOFF QUARTERLY – Published for clients and friends of ROTHKOFF LAW GROUP

The success of our firm is a direct reflection of our clients and the referral sources who have supported us. Therefore, we actively welcome your referrals as well as your input regarding the contents of this newsletter. We also welcome comments on the quality of legal services our offices provide.

Rothkoff Law Group Adds Ryan Krocker as Associate Attorney



We are proud to announce Ryan A. Krocker, Esquire, as the newest member of the Rothkoff team. Ryan's background in estate planning, estate administration, and litigation will enrich the firm's capabilities, allowing us to provide even more comprehensive support to our clients in South and Central New Jersey, as well as South-eastern Pennsylvania.

Ryan obtained his bachelor's degree in psychology with a minor in Spanish from the University of Chicago. He furthered his education by earning his Juris Doctor from William & Mary Law School. Licensed to practice law in Pennsylvania and New Jersey, Ryan is fluent in Spanish, facilitating communication and support for clients from diverse backgrounds.

Before joining Rothkoff Law Group, Ryan Krocker cultivated his skills as a litigator, handling cases in federal and state courts, and proceedings before the Department of Labor. Additionally, he garnered valuable experience in estate planning, estate administration, and Medicaid planning while working at an estate planning and elder law firm in Central New Jersey.

A dedicated member of the legal community, Ryan is affiliated with the Pennsylvania and New Jersey State Bar Associations, as well as the Bucks County Bar Association. Outside of his legal endeavors, Ryan is an avid reader with a penchant for trivia, often found delving into various topics on Wikipedia. He cherishes spending quality time with his wife, young son, and middle-aged cat.

Ryan Krocker can be reached at Rothkoff Law Group's Trevoese, Pennsylvania office located at Seven Neshaminy Interplex, Suite 403, Trevoese, PA 19053, or via email at ryan@rothkofflaw.com.

My Dad's Last Bucket List Wish (Continued from front page)

As my dad was on hospice, the hospice firm was able to provide support from another local hospice just in case I needed some help while we were away. They also taught me how to care for my dad's wound. The assisted living facility where he was staying provided us with supplies and medication instructions. We had the village rooting for a successful trip.

I thought it would be best to drive the six hours to our destination. To help support us, I invited his girlfriend of many years to join us, as well as my best friend. There were some trying moments when I wanted to turn around, between the dozens of times my dad asked how fast I was driving, despite going the speed limit the entire time, and the many bathroom breaks we needed to take for him. Despite the obstacles, my dad got his wish—we were in Vermont!

We went to his former favorite stomping grounds, Killington slopes—not to ski, but just look. We also went to some of his favorite restaurants,

including The Pickle Barrel. From the minute he arrived, his eyes lit up and



Richard Riggs (top left) with "Adom" bandmates in 1970s.

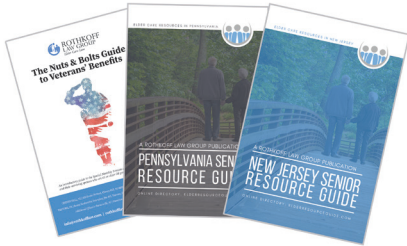
he smiled from ear to ear. We danced, he sang, we had a beer or two, and I received the best gift my dad could have ever given me. With tears in his eyes, he said "I am not sure who made this happen but thank you, this is the best night." Those words made all of the fear and stress of being the person to ensure the safety and care of my dad all worth it.

My dad died a little over two months later, but we will always have Vermont. I know part of why he was peacefully ready to go was because we were able to have this last ride. I am so grateful

and honored that I was there through every moment with him and was able to make his wish come true. I say again BUY THE TICKET, TAKE THE RIDE—you will not regret it.

Know that you do not have to do it alone. That is why there is the village. Talk to your elder care attorney to discuss funds available to use as well as determine what could be penalized, and what would be appropriate spending. Talk to your social worker about resources such as hospice and/or home care agencies or other services that can help make the trip work better for you and your loved one. Take the trip because dementia should never stop someone from living their best life whenever they can or from fulfilling a last wish or adventure. My dad will be returning to Vermont this July, when I plan to spread his ashes, and we will celebrate his life where he felt the most whole and happiest—Vermont with his loved ones around him. I will buy the ticket, take the ride to honor my beloved father Richard Riggs. I love you Daddy!

Request a complimentary guide!



rothkofflaw.com/resources



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Rothkoff Law Group Happenings

Rothkoff Law Group is proud to announce two new additions to the Rothkoff team family:



Drew, born to Melanie Hoff, Esq.



Mason Aydin Swartley, born to Siobhan Discigil, LSW.



(left) LCPLFA at MGM Grand Las Vegas: Life Care Planning Law Firms Association 2024 Conference, February 22-23, 2024

In attendance from left to right: Laura Nelson, Jacinda Graham, Mary Mattes, Nicole Noel, Shannon Reilly and Chelsea Duckers.



(top) Rothkoff Law Group announces the return of Pamela Rosenberger to our offices as Legal Services Coordinator. Welcome back Pam!



PAELA Conference in Bedford, PA, February 22-23, 2024

Pennsylvania Association of Elder Law Attorneys Presenters from Rothkoff Law Group included: (seated at far left) Richard Newman, Esq. and Kathleen Magee, Director of Care Coordination (far right).