

NATI NEWSWIRE

SENIOR SAFETY ISSUES

Elder law experts assist seniors

By Janet Taylor—New York

The following resources can assist elders on where to turn for help:

If you have a question of whether you are being discriminated against because of your age and are 60 years or older, call New York State Office for the Aging's Senior Citizens' Hot Line at (800) 342-9871, the New York State Division of Human Rights (212) 961-8400 or Equal Employment Opportunity Commission at (212) 748-8500.

€ Consumer frauds are most often targeted at elders. About 85 percent of the victims of telemarketing fraud are age 65 and over. Scams include, but are not limited to: home repair; foreign lottery or sweepstakes solicitations; investments, and charities fraud. Elders targeted by fraud should contact the New York State Attorney General's Consumer Hot Line at (800) 771-7755 and also the Cayuga County district attorney, who will prosecute offenders. If you want to stop unwanted phone solicitations, have your telephone number added to the state and national "Do Not Call" registries.

€ Do you have questions about Medicaid and Medicare eligibility requirements, the use of trusts and other planning techniques? Contact the Cayuga County Office for the Aging at 253-1226 and ask to speak to a HIICAP counselor or make an appointment for a legal consultation to have your questions answered. The office can also assist with contacting the State Insurance Department about abusive sales practices for Medi-gap insurance and the Centers for Medicare & Medicaid Services on Medicare Advantage Plans and Medicare Prescription Drug plans.

Professional misconduct and unlicensed practice of a profession are against the law. For information on recognizing and reporting professional misconduct or unlicensed practice, the State Education Department's Office of the Professions is a good place to start. If you believe a professional has committed misconduct or you know of someone practicing a profession without a license, call (800) 441-8106. Visit the Web at www.op.nysed.gov or call (518) 474-3817 for a free "You Have the Right" brochure.

Estate planning involves making decisions ahead of time to assure that your assets are disposed of in the way you desire at the time of your death. Proper estate planning uses legal methods to assess the value of one's estate, establish trusts, acquire insurance (such as life insurance and long-term care insurance), prepare the

proxies and powers of attorney), provide gifts to family members and charities and minimize taxes. This planning could also involve assessing incapacity, avoiding guardianship, surrogate health care decision making and financial management such as tax implications/advantages in doing advance planning. The proper coordination of all these matters should be done with the guidance of a specialized elder law attorney and other financial and elder care management professionals. Janet L. Taylor is an aging services specialist with the Cayuga County Office for the Aging.

All 50 states have elder-abuse prevention laws and have set up reporting systems. Adult Protective Services (APS) agencies investigate reports of suspected elder abuse. **To report elder abuse, contact APS through your state's hotline.**

Alabama (800) 458-7214, **Alaska** (800) 478-9996, **Arizona** (877) 767-2385, **Arkansas** (800) 332-4443, **California** (888) 436-3600, **Colorado** (800) 773-1366, **Connecticut** (888) 385-4225, **Delaware** (800) 223-9074, **District of Columbia** 202-541-3950, **Florida** (800) 962-2873, **Georgia** (888) 774-0152, **Hawaii** (808) 832-5115, **Idaho** (877) 471-2777, **Illinois** (866) 800-1409, **Indiana** (800) 992-6978, **Iowa** (800) 362-2178, **Kansas** (800) 922-5330, **Kentucky** (800) 752-6200, **Louisiana** (800) 259-4990, **Maine** (800) 624-8404, **Maryland** (800) 917-7383, **Massachusetts** (800) 922-2275, **Michigan** (800) 996-6228, **Minnesota** (800) 333-2433, **Mississippi** (800) 222-8000, **Missouri** (800) 392-0210, **Montana** (800) 551-3191, **Nebraska** (800) 652-1999, **Nevada** (800) 992-5757, **New Hampshire** (800) 351-1888, **New Jersey** (800) 792-8820, **New Mexico** (800) 797-3260, **New York** (800) 342-3009, **North Carolina** (800) 662-7030, **North Dakota** (800) 451-8693, **Ohio** (866) 635-3748, **Oklahoma** (800) 522-3511, **Oregon** (800) 232-3020, **Pennsylvania** (800) 490-8505, **Rhode Island** (401) 462-0550, **South Carolina** (803) 898-7318, **South Dakota** (605) 773-3656, **Tennessee** (888) 277-8366, **Texas** (800) 252-5400, **Utah** (800) 371-7897, **Vermont** (800) 564-1612, **Virginia** (888) 832-3858, **Washington** (866) 363-4276, **West Virginia** (800) 352-6513, **Wisconsin** 608-266-2536, **Wyoming** (800) 457-3659.

86-year-old woman lost nearly \$300k Some robbers use a gun, some use power of attorney

BY [MARY MITCHELL](#) Sun-Times—Illinois

(Truncated) Last week, a judge in the Probate Division of the Circuit Court of Cook County found that Karen Bailey, who has worked as a secretary for Cook County Commissioner Jerry Butler for 14 years, had not acted to the benefit of Mary Ann Wilson, an 86-year-old black woman who lives on the Far South Side. The judge entered a \$297,708.95 judgment against Bailey, who has known Wilson for at least a decade. But it would be a miracle if Bailey has a dime of the money left.

Most of the withdrawals were in huge chunks of cash. At one point, nearly \$85,000 was being kept in a closet in Wilson's home, and Bailey and her husband allegedly were buying luxury cars and acquiring property.

Bailey, who lives in Crete, managed to gain Wilson's trust to the point that she supplanted Wilson's blood relatives. A power of attorney allegedly signed by Wilson gave Bailey access to every dime.

Perhaps the saddest aspect of this case is that Bailey's husband's father, Clifford Service, who also suffers from diminished mental health, ended up married to Wilson -- in a ceremony neither one of them recalls -- an arrangement that gave Bailey, the daughter-in-law, unconditional access to Wilson's fortune.

In August 2005, Wilson was the owner of approximately \$392,000 in three accounts, according to court documents. In less than a year, those accounts were down to \$3,700.09.

Arnetta Williams, a distant cousin of Wilson's, apparently got wind of what was going on and took the matter to probate court. Besides entering the judgment, the court ruled that Bailey had failed in her fiduciary responsibility, and revoked the power of attorney.

Bailey could not be reached for comment, but her Sept. 6, 2006, deposition revealed dozens of questionable transactions. When asked by an attorney what she did with cash withdrawals from Wilson's account, Bailey responded "I don't recall" more than 20 times -- despite the fact that nearly \$300,000 of Wilson's money vanished. The street punk isn't the only crook families should be worried about.

A government report on 2006 Internet crimes also records the sudden emergence of extortionists who use e-mail to deliver ominous threats that grave consequences await unless money is sent.

The new federal statistics show that Americans reported losing an all-time high of \$198.4 million to Internet fraud in 2006, up 8 percent from 2005 levels of \$183 million and 191 percent from 2004 levels of \$68 million.

132 MILLION SAY NO

That's the number -- or 132,219,163 to be exact -- of telephone numbers listed on the [Federal Do Not Call Registry](#) as of September 30, 2006.

Copies of the documents are available from the FTC's Web site at <http://www.ftc.gov> and from the FTC's Consumer Response Center, Room 130, 600 Pennsylvania Avenue, N.W., Washington, DC 20580. Call toll-free: 1-877-FTC-HELP.

AGENTS ARRESTED FOR ALLEGEDLY CONSPIRING TO EXPLOIT THE ELDERLY

Associated Press

ADEL, Ga. - Two Adel insurance agents were charged Thursday with signing up eight elderly people and even a dead man for health coverage without bothering to get their permission, officials said.

While the initial charges involve only nine individuals, all from Albany, the alleged conspiracy may extend to as many as 40 elderly victims throughout southwest Georgia, Insurance Commissioner John Oxendine said.

Shannon Del Vick and Cecil Wayne Ade, both 35, were charged with conspiracy to commit insurance fraud, forgery and exploitation of an elderly person - all felonies, Oxendine said. Glenn Allen, a spokesman for Oxendine, said the victims were in their 80s and 90s. It is illegal in Georgia to sign anyone up for insurance without permission.

Oxendine's office said the two used information already on file at their office, ING/Old World Finance in Adel, in an attempt to collect commissions for signing up the nine individuals for Medicare Part D, a program launched last year to subsidize prescription costs.

"These nine victims were in Dougherty County," Oxendine said. "But we have alleged victims in Columbus and in other areas around southwest Georgia. One of these victims was not even alive. They actually signed up a dead person."

Oxendine said his office's insurance fraud investigation likely will be expanded to include other companies.

"We're seeing reports of abuses around the state," he said.

Funding Opportunity for your Program

RMS and NATI provide funding opportunities for Triads, Domestic Violence, and other projects. To participate, RMS requests that your organization collect used cell phones and contact them at: **911CellphoneBank.com** or **terrih@sheriffs.org** RMS pays for shipping phones to them and returns usable cell phones to: law enforcement, senior programs, and domestic violence organizations—to provide cell phones to those in need in your community. Salable phones are recycled, with funds being returned to your organization. Contact RMS or NATI today.

1450 Duke Street, Alexandria, VA 22314
703-836-7837 phone 703-519-8567 fax



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