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HELPFUL QUESTIONS WHEN SELECTING A CONTINUING CARE RETIREMENT COMMUNITY

By: Frank G. D'Angelo, ESQ

The continuing Care Retirement Community (CCRC) has emerged as an attractive option for the older New Yorker. The CCRC, unlike other housing options, offers along term contract to provide housing, services, and nursing care, usually in one location. It also offers other advantages, such as physical and financial security, independence, access to health care, companionship and privacy.

Individual and families considering a Continuing Care Retirement Community should examine the offering plan very carefully. They should also consider the size of the community, as well as whether it is formal or casual. The following checklist may be a helpful start in assessing the Continuing Care Retirement Community:

- 1) What kinds or services does the facility offer? What services are included in the cost? When and how do additional fees get charged?
- 2) Inquire as to what kinds of contracts are available. It is important to understand that the contract is a legal agreement between you as the consumer, and the Continuing Care Retirement Community. The agreement generally secures living accommodations and sets the parameters for services, including health care services, to be provided over the long term. The three most common types of agreements are: the extensive contract, which offers unlimited long term nursing care for little or no substantial increase in monthly payment; a modified contract, which includes a specified amount of long term nursing care, beyond which you are responsible for payment of fee for service; and full daily rates for all long term nursing care requirements. It is essential that you choose a fee structure and contract which best suits your personal financial circumstances.
- 3) Is the CCRC subject to licensure? Ask to see the most recent inspection reports.
- 4) Do the residents own or rent their living space? How is the resident's interest in the living space transferred in the event the individual can no longer physically reside in the space? How is the resident's space transferred, in the event that the resident dies? Who decides if the resident can no longer continue to reside in the space? What options are made available to a resident who becomes physically unable to reside in the space?
- 5) Who decides what level of care the residents will receive? If increased care is necessary, where will the service be provided? If the special care is unavailable in the CCRC, where will the care be provided? Will the resident be responsible for the excess charges?
- 6) Find out if the CCRC is accredited by the Continuing Care Accreditation Commission. This is an accrediting body for CCRC's. You may visit the website at www.ccrconline.org to learn about accreditation. (It is also possible to inspect a list of accredited communities). Individuals interested in further information about the accreditation process can call (202) 587-5001.
- 7) Finally, it is important that, before signing any contract, an individual family considering an application, have the contract reviewed by a lawyer.

SUMMARY:

The decision to enter a Continuing Care Retirement Community is a significant decision in a person's life, and should not be entered into without fully understanding all the options and consequences. An individual should assess the appropriateness of the facility for themselves, as well as the financial feasibility of continuing to reside in the community. A knowledgeable Elder Law Attorney is also essential to the decision making process.