

HAWAI'I'S RESOURCE FOR LIFE

GENERATIONS

MAGAZINE | DEC • JAN 2012

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ABERCROMBIE:
A NEW DAY
FOR HAWAI'I'S
SENIORS

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are a tremendous
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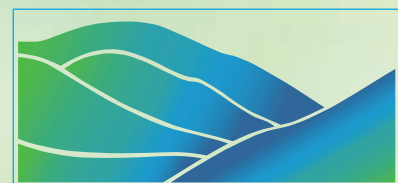
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As we enter 2012 with optimistic minds, trust in our neighbors and plans to spend more time with our family and friends, *Generations Magazine* will be here to bring you more resources for life.

We promise to provide you with more resources that maybe you never heard of, never thought about and possibly may need, right now. We will be here to support you and your family, and we will work to partner with more agencies and companies to meet these goals.

We would like to thank Gov. Neil Abercrombie for allowing us into his world of political life and being so open with us. I truly believe he has a special place in his heart for the seniors of Hawai'i and understands that our kūpuna will always be an important foundation for our community.

In 2012, please visit our revamped and more user-friendly Web site, www.Generations808.com. On our homepage you can find all of our past issues and check out our calendar of Island events that pertain to aging. You will also want to click on our resource tab where you can view and print out all of our resource guides and view, or listen to, our resource library of topics. Many thanks to our Webmaster, Peterson Rosario. Oh, by the way, if you don't have a computer, go to any state library and you can use one for free.

Congratulations to our 2011 Senior Fair survey winner Sharon Saito, who works for the State Library for the Blind and Physically Handicapped. She won our Vacations Hawai'i Las Vegas vacation package for two. She excitedly let us know that she took her sister for a vacation during Thanksgiving. See photo below.

Lastly, in our upcoming February/March issue look for our reader survey. Give us your feedback and send the survey back to us for a chance to win a 5-night Las Vegas Vacation Package.

My sincerest thanks to all of you for your support of our mature community!

Live Well in 2012!

Percy Ihara, Editor/Publisher



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Generations Magazine calls upon Hawai‘i’s experts — from financial advisors to professional chefs — to produce an informative and meaningful publication for our local seniors and their families. Mahalo for their contributions.

In order of appearance:



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MICHAEL W. YEE has a financial advisory practice of Ameriprise Financial Services, Inc. As a financial advisor, Yee’s customized advice is anchored in a solid understanding of client needs and expectations. For more information, please contact Michael W. Yee at (808) 952-1240.



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***SUSIE CORSE** has been AlohaCare’s Public Relations Manager for more than five years. AlohaCare is a Hawai‘i-based Medicaid and Medicare health insurance company. It was founded in 1994 by Hawai‘i’s Community Health Centers to provide medical coverage for Medicaid beneficiaries. As Hawai‘i’s 33rd largest business in the state, AlohaCare helps its members — from keiki to kūpuna — stay healthy.*



SCOTT MAKUAKANE is a lawyer whose practice has emphasized estate planning and trust law since 1983. He hosts Est8Planning Essentials, a weekly TV talk show that airs on KWHE (Oceanic channel 11) at 8:30 p.m. on Sunday evenings. For more information about Scott and his law firm, Est8Planning Counsel LLC, visit www.est8planning.com.

A NEW DAY IN HAWAII

A COMPREHENSIVE PLAN

To invest in education and rebuild our economy

To sustain our Hawaii for future generations

To restore public confidence

GENERATIONS MAGAZINE

HAWAII’S RESOURCE FOR LIFE

Photo: The cover to Governor Abercrombie’s manifesto

COVER STORY | GOV. ABERCROMBIE: A NEW DAY FOR HAWAII’S SENIORS

[One of the most important public challenges of our time is to ensure that our rapidly aging population of retirees and elders can live productive and dignified lives.]

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My mother just completed her annual visit here to the Islands. She doesn't stay at our house ... she likes her own space. I won't tell you how old she is. That would just be plain rude. But she is in good health and going strong. She finally got a cell phone (thanks to my sister). That gives me a great deal of comfort.

While mother was visiting, I tried to call her house phone a number of times. No answer. When I called the cell phone, she answered right away. And, other times when I left a message on her voicemail, she'd call back within minutes after she heard the message alert. Mother doesn't have a computer. She doesn't understand why anyone would sit all day in front of a keyboard. So the cell phone is the closest thing to modern technology she owns. But, as I said, it's a comfort

to me knowing that she can call my sister or me when she needs to.

Boomers like me are in a rather unusual situation. Happily, many of us still have parents who are part of our lives. We also have grown children we are still concerned about. Due to this common situation, Boomers are also called the "Sandwich Generation." Frankly, I can't think of a better title. A sandwich is a good thing. It provides comfort, it can be shared with others and there's an endless variety.

I'm going to call my mother now. If she thought of me as a sandwich it would probably be "Ham on Wry." Get it? Ham on ... oh, well ... ■

The Elderhood Project airs Thurs. 5:30 a.m. & 5 p.m.



Tax Planning & Preparation

by Tamilyn E. Masuda, CPA, Inc.

Our tax system for the most part remains firmly based upon the calendar year. At year-end, it's time to take a snapshot of your income, deductions and credits. Based on that data, your tax liability for the year can be computed. If year-end strategies are implemented before your tax liability is "set in stone" it can make a significant difference in what you owe for the tax year. Tax planning for year-end 2011 should use traditional year-end strategies as well as those that react to situations unique to this year.

INCOME/DEDUCTION SHIFTING

The traditional year-end strategy of income shifting applies to 2011, but with an extra twist. Under traditional strategy, you time your income and deductions so that your taxable income is about even for 2011 and 2012 so your tax bracket does not spike in either year. If you anticipate a higher tax bracket for 2012, you may want to accelerate income into 2011 and defer deductions into 2012. If you anticipate a leaner 2012, income might be delayed through deferred compensation arrangements, postponing year-end bonuses, maximizing deductible retirement contributions and delaying year-end billings.

The twist for year-end 2011 is the uncertain future for the tax rates after 2012. Many political observers forecast that higher-income taxpayers will be asked to pay more, either through higher tax rates or more limited deductions. That may suggest a strategy in which income is not deferred but is recognized now at lower tax rates still available in 2011 and 2012.

ROTH CONVERSIONS

If you converted an Individual Retirement Account (IRA) to a Roth IRA in 2010, you were given an option — recognize all income in 2010 or defer that income, half into 2011 and half into 2012. If you elected to defer that income into 2011 and 2012, do not forget to figure that income into your year-end planning.

LIFE CHANGES

Marriage, divorce, the birth of a child, death, a change in job or loss of a job, and retirement are just some of the life events that trigger a special urgency for year-end tax planning. After December 31, 2011, it will be too late to alter most of your bottom-line tax liability for 2011.

TAX EXTENDERS

A number of tax extenders are scheduled to expire after December 31, 2011. They include:

- the state and local sales tax deduction
- the higher education tuition
- the teacher's classroom expense deduction

Seniors age 70 ½ and older should also consider making a charitable contribution directly from their IRAs up to \$100,000 and paying no tax on the distribution. This tax break, especially advantageous to those who do not itemize deductions, is scheduled to end for distributions made in tax years beginning after December 31, 2011.

For more information, call Tamilyn Masuda at 847-4422 or visit www.masudacpa.com. ■

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Stay Uplifted Amid Economic Downturns



by Michael Yee, CFP

Investors are being forced to cope with what many perceive as unprecedented circumstances in the economic and political environment. At the same time that the U.S. economic recovery appears to be slowing, Standard & Poor downgrades the U.S. credit rating on debt issued by the U.S. Treasury. Confidence that government policymakers can do anything significant to help improve the environment is low.

These and other concerns are contributing to a sense of unease for many investors. How should these major shifts in global politics and financing affect your personal portfolio strategy?

Here are three realities to give you an appropriate perspective on the challenges that lie ahead:

❶ *The downgrade may be justified, but might have been premature.*

Standard & Poor's shifted the nation's credit rating from AAA to AA+. Part of their rationale appeared to center around concerns that a dysfunctional political environment will prevent budget issues from being resolved in an effective manner. However, history is filled with examples of how American politicians have forged deals to resolve crises. It may not be fair to discount the potential that policymakers will come to agreement not just on budget issues, but other legislation designed to give the economy a boost.

❷ *Good news is often hidden.*

In periods like these when troubling news leads the headlines, investors are often surprised when markets perform well. This is due to the fact that some market observers are looking beyond the headlines to see other trends that are favorable. The same is true in today's environment. Corporate profits remain strong and companies in the U.S. and elsewhere generally have solid balance sheets. Emerging markets are growing robustly and will likely help spur ongoing economic activity in other parts of the world, including the U.S. prices for gasoline have moderated in recent weeks, boosting consumer purchasing power. Even in difficult times, seeds of future prosperity are planted.

❸ *Stocks may offer more attractive value than bonds.*

Many individuals have been pulling money out of the stock market and investing in bonds (or bond funds). Yet with interest rates on U.S. Treasury securities near their historic lows there appears to be a limited upside. Worse yet, bonds paying extremely low interest rates can be risky for investors. If interest rates begin to rise, bondholders could be in for a negative surprise. That's because bond prices decline when interest rates rise. Stock values, meanwhile, remain well below the peak they reached in the fall of 2007 before the dramatic, 50 percent downturn occurred. At that time, the S&P 500 Index topped out at 1,565. Today the S&P 500 is 20 percent to 25 percent below that all-time peak. This indicates that upside potential remains over the long run, though the market will likely continue to suffer through ups and downs along the way. ■

Uplifting Choices

by Jeffrey Sisemoore, JD
Director of Planned Giving and Major Gifts
National Kidney Foundation of Hawaii

For many people end-of-year tax planning is a regular part of their lives. Given the complications that our tax system can engender, it is no wonder that taxes often impact personal goals and desires, especially during the holiday season when families are focused on relationships and gift giving.

However, it is possible to use tax-favored strategies to make your holiday charitable giving go further. For example, if you are over age 70½, the federal government permits you to rollover up to \$100,000 from your IRA to charity without increasing your taxable income or paying any additional tax. These tax-free rollover gifts could be \$1,000, \$10,000 or any amount up to \$100,000 this year. The gift satisfies your required minimum distribution (RMD) for this year without adding any taxable income to your bottom line, and since most IRAs are funded with pretax dollars, such gifts are a smart way to give to charity.

IRA ROLLOVER: Simple, Easy Gift

Consider this example. Grace was a registered nurse and a frequent charity volunteer. During her working years, Grace's IRA had grown substantially. Since Grace's income meets her needs, she decided to make a gift of \$2,000 from her IRA. Grace called her custodian and requested a transfer of \$2,000. It was easy for Grace to make her charitable gift and she liked the fact that she could help without increasing her taxes.

MAJOR IRA GIFT: Smart Giving

Perhaps you are considering your tax planning goals and would like to make a major gift to charity. Like many individuals, your IRA may be the largest asset in your estate. Your CPA may be looking for ways to save taxes. By making an IRA charitable rollover gift of up to \$100,000, you can reach your goal of helping charity in a significant way and reducing taxable income by using an asset that may otherwise be taxed at high ordinary tax rates.

FUTURE IRA GIFT OPTIONS:

Helping Your Family and a Charity You Support

While you have the opportunity to give through your IRA now, there are other options available for making future gifts from your individual retirement account to charity:

Bequest of IRA: One option is to designate a charity as the beneficiary of your IRA. This permits you to continue to take withdrawals from your IRA during life and then leave the remaining value of your IRA to support a worthy program that is important to you.

Testamentary IRA Gift Annuity: Another option is to make a future gift of your IRA to charity while providing life income to your heirs. Your family will receive fixed payments based on your age at rates that can be as high as 9.5%.

Testamentary IRA Unitrust: An IRA could also be transferred to a special "Give It Twice" trust that usually provides income to children for a period of up to 20 years. After that time, the trust may pass to charity, creating a wonderful way for you to make a charitable gift.

This holiday season if you would like to discuss charitable giving options available to you, please contact Jeffrey Sisemoore, JD, Director of Planned Giving and Major Gifts at the National Kidney Foundation of Hawai'i at 589-5976 or visit www.kidneyhi.org. ■

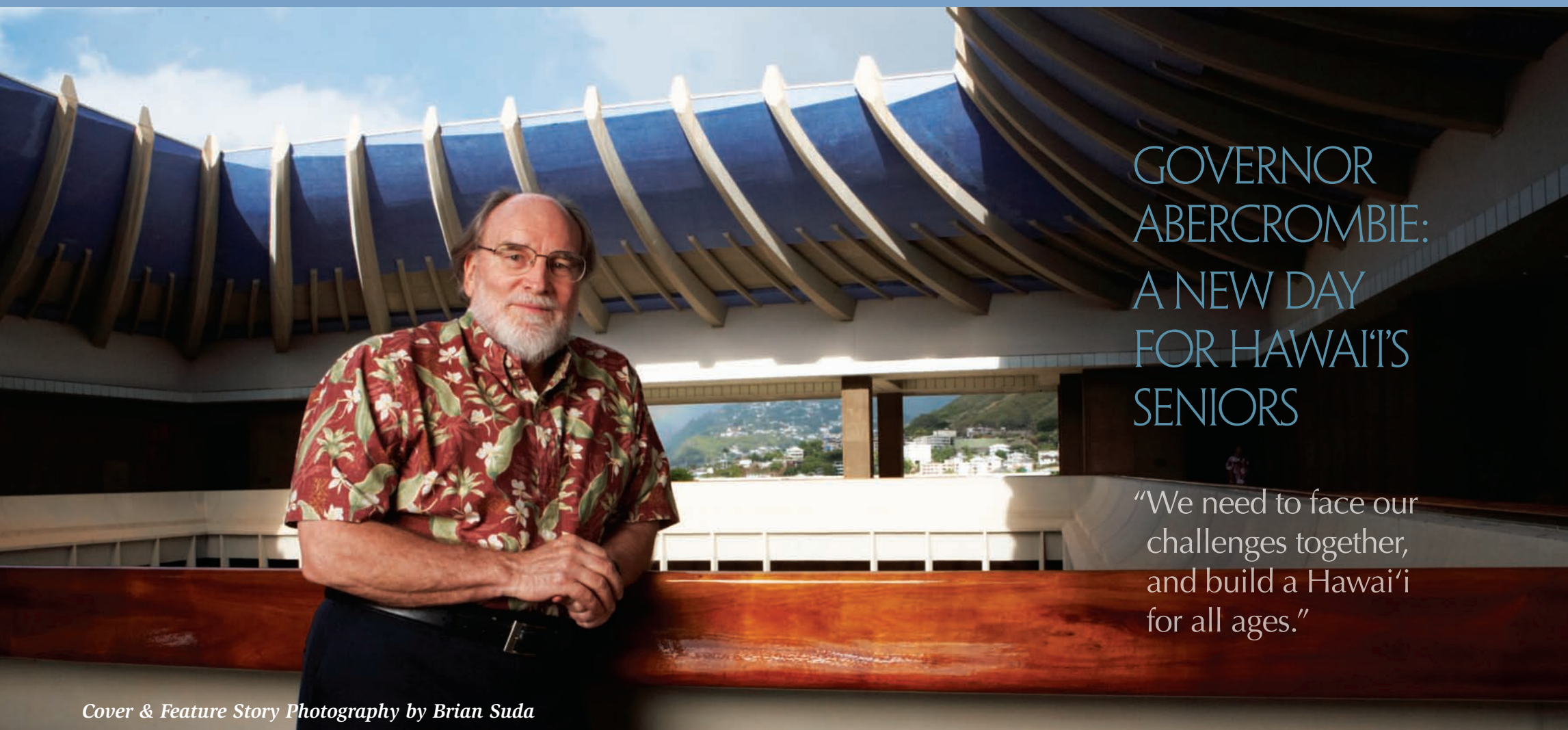
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Cover & Feature Story Photography by Brian Suda

GOVERNOR ABERCROMBIE: A NEW DAY FOR HAWAI'I'S SENIORS

"We need to face our challenges together, and build a Hawai'i for all ages."

As Neil Abercrombie marched into the governorship of Hawai'i, he carried with him a manifesto—A New Day In Hawai'i. One of the plan's key points was to enhance the quality of life for older adults—even to ambitiously turn age into an asset.

Now that it's been just about 365 "new" days (or one year), since Abercrombie assumed office, *Generations Magazine* sat down with the governor to see whether, indeed, a new day is dawning for seniors in Hawai'i.

GM: What is the fire in your belly that motivates you to want to help seniors and make it a significant part of your administration's goals?

NA: I grew up during the Depression in Buffalo, New York, a city with many ethnic and religious divides. I often got into fights to defend me and others for having the "wrong" background. It was

also during a time when women faced open discrimination. I witnessed the injustice of working women, such as my mother Vera, who received lower pay and benefits simply because of their gender. Through this and other childhood incidents, my mother taught me the importance of fairness, equality and of standing up for what

was right. I was taught that big kids shouldn't pick on little ones, I believed it and believe it now.

When I was first elected to public office, my mother reminded me of how she was treated unfairly and to always fight for those who can't fight for themselves. In these times, the most vulnerable are often our seniors.

Prior to the 2010 elections, I knew we were facing the most trying time in the history of the State of Hawai'i. I felt the responsible thing to do was to utilize my relationships in Congress and the White House and my decades of legislative experience to address important social issues, such as aging, in these difficult times as Governor.

GM: Set the stage for us...what is the status of our retirees and elders in Hawai'i?

NA: First off, I want to say nearly ninety-five percent of people over 60 are active, engaged and

want to contribute. In that way, our kūpuna are a tremendous economic and social asset. However, we often view aging through a deficit or sick-care lens. My administration is changing that viewpoint. We're partnering with senior advocacy groups to redefine social attitudes about aging.

For example, this year our Executive Office on Aging joined the United States Administration on Aging in proclaiming the month of May as "Older Americans Month" in Hawai'i. The recognition celebrates the role older Americans play in steering the course of our history and recognizes them for their valuable insights and wisdom. We honored seniors by showcasing them as "treasured resources," united by historical experiences and strengthened by diversity.

We understand that older Americans are now living healthier, longer and richer lives. We look forward to the many accomplishments they will offer our local communities in the future.

GM: Besides creating awareness, what are you doing to help seniors stay integrated into the whole of society?

NA: Seniors who want to work or volunteer, should be able to. It is part of government's job to make sure that they have a chance to do so. It's part of our plan to create a "silver wave" of opportunities for active older adults. Through incentives and partnerships we are encouraging non-profits and businesses to create flexible paid and volunteer opportunities for seniors. We also recognize model employers who bring in retirees to serve as mentors and trainers.

Senior Corps is one great example of the "silver wave" at work. The program taps the skills, talents and experience of individuals age 55 and better to meet a wide range of community needs through three programs: RSVP, Foster Grandparents and Senior Companions.

RSVP connects volunteers with service opportunities in their communities that match their skills and availability. Volunteers conduct safety patrols for local police departments, participate in environmental projects, provide intensive educational services to children and adults and respond to natural disasters, among other activities. *Foster Grandparents* serve one-on-one as tutors and mentors to young people with special needs.

Senior Companions help homebound seniors and other adults maintain independence in their own homes. I encourage seniors to inquire about these volunteer opportunities at the Hawai‘i Aging and Disability Resource Center (643-2372). For an update on the RSVP Program, turn to page 16.

Also, Kapi‘olani Community College’s Kūpuna Education Center offers assistance in comprehensive life planning and upgrading skills, including lifelong and/or intergenerational learning opportunities for older adults.

GM: *For seniors who are less active, or need more assistance, how is your administration helping?*

NA: One of the most important public challenges of our time is to ensure that our rapidly aging population of retirees and elders can live productive and dignified lives.

Currently, the state helps the most frail and vulnerable older adults through Medicaid’s QUEST Expanded Access Program (QExA). The program covers health services for nearly 39,000 Hawai‘i resident who are aged, blind and disabled (ABD). However, Hawai‘i’s Medicaid plans are plagued with rising health care costs and a growing senior population. Medicaid is on a path to exceed our ability to pay and is at risk of failing those who need it the most.

In view of that, I will continue to lobby the federal government for federal matching provisions to support the Medicaid program. My administration is also planning to attack the skyrocketing costs of health care statewide, including a greater focus on prevention, quality and on programs that demonstrate their cost savings.

The silver lining in all of this is that states all across the country are encountering similar fiscal challenges, and the Obama Administration and Congress are aware of this and looking for ways to help. With my strong ties to the White House and to Congress, I am working to move Hawai‘i to the front of the line for these opportunities.

GM: *Will existing services for seniors, especially through Kūpuna Care funding, be increased to support the growing number of seniors?*

NA: For seniors who are not eligible for Medicaid, our administration will continue to provide

Kūpuna Care, which is a publicly-funded service that provides services such as meals, bathing, companion and assisted transportation to people needing help with daily living.

More importantly, however, is that state and county governments are currently transforming our service delivery system. We want families to have better access to and assistance with navigating our long-term supports and services.

For example, through the Aging and Disability Resource Centers in each county, we will provide information and referrals in a very person-centered manner. We hope to empower families and caregivers to make informed decisions about their options. The goal is to streamline access to the public and privately funded services and support, such as counseling, case management and programs such as the before mentioned Kūpuna Care and QUEST Expanded Access.

GM: *As you know, many adult children take care on their aging parents. Although most wouldn’t have it any other way, caring for our elderly parents and grandparents can be difficult. How does the state support those who embrace it as their duty?*

NA: I understand how difficult caregiving can be. My mother-in-law was incapacitated for almost seven years. I saw every variety of care facility and workforce caliber. Only the professional dedication of health care personnel enabled my wife and me to get through the ordeal with her.

Despite government’s best efforts over the years to provide all of our kūpuna care, our efforts are falling way short of the mark. Too many older adults and their families are without the support and resources they need, forcing them to turn to more expensive and less desirable living situations. For seniors who are alone and impoverished, the situation is even worse.

Out of this crisis, we have found opportunities. Hawai‘i is a very adaptable and resourceful place. As such, Hawai‘i is the nation’s leader in intergenerational households. Grandparents are routinely involved in raising grandchildren. And adult children oftentimes care for their aging parents. These family caregivers are the backbone of our system of support and services for older

adults. They care for our kūpuna in a way the government can’t — emotionally and fiscally.

Family caregivers allow people to grow older in their own homes and communities, without requiring a huge and expensive new government program. In fact, the estimated economic value that family caregivers provide is about \$2 billion, which is more than government can afford to spend on care and why it’s so important to help family caregivers in areas such as respite, care coordination, and education and training.

GM: *Do you have a ‘A New Day In Hawai‘i’ legacy that you would like to leave behind?*

NA: For the senior and aging component of A New Day In Hawai‘i, I hope to develop a Hawai‘i Center of Excellence on Aging. This is something that can continue to grow in years to come after I leave office.

I’d like to see our university system, community colleges, the private business sector and non-profits come together to obtain funding for major research and cutting-edge projects around the subject of aging. We already have outstanding experts and programs at Kapi‘olani Community College, the University of Hawai‘i at Mānoa and community-based programs throughout the Islands. These can be coordinated to develop training programs, career paths in gerontology, and new advancements that can benefit people in Hawai‘i and can be exported around the world, particularly in China, Japan and Korea, which are rapidly aging. There is no reason why Hawai‘i cannot be a world leader in this field.

GM: *This was just year one of your governorship... you have three more years to see your plan come to fruition. Do you have a parting message for our readers?*

NA: Well, last but not least, I do believe government has a responsibility to build a streamlined system of supports and services for families. I note, however, that the care of Hawai‘i’s kūpuna is a shared responsibility. No one entity can do this alone. From philanthropic organizations to the for-profit sector, from government to non-profits, from individuals and families to clubs and associations, we all have resources — monetary,

in-kind, volunteer, ideas, time — to contribute to care for our kūpuna and to create the society that we want to live in.

We need to face our challenges together, and build a Hawai‘i for all ages.

Every place on Earth, whether it be a large metropolitan city in Asia or an isolated Island community like Hawai‘i, has a culture that was created over time by the inhabitants of that place. That’s why all of us who live in these Islands must never forget that we owe much to the generations who came before and to the older people in our community. They helped to educate us, form our ideas about brotherhood and establish the spirit of Aloha that pervades our home. I extend to all of our seniors my most heartfelt appreciation for their past contributions and wish them all the very best.

GM: *What do you have planned for retirement once your term is over?*

NA: I’ll help wherever and whenever I can, but I’m not looking for any other job. This run for Governor was the culmination of a lifetime of public service. This is the last public office I will hold. In retirement I plan to walk my dog Kanoa every day, read and spend more time with my wife, Dr. Nancie Caraway. ■



Photo courtesy of the State Capitol

RSVP Goes to the City

The Retired and Senior Volunteer Program Changes Lives

by *Lei Shimizu, MSW, LSW*
Coordinator of Information and Assistance Services
Ashley Muraoka, MURP, RSVP Project Director

The Retired Senior Volunteer Program (RSVP) has a new family. We are now under the Information and Assistance (I&A) Section of the Elderly Affairs Division (EAD), Department of Community Services (DCS). We also proudly welcome and congratulate Ashley Muraoka as the newly hired director for this great new program. We previously knew her as the coordinator for the Medicare for Participants and Providers Act.

With the support of the Elderly Affairs Division and under Muraoka's direction, RSVP will focus on enhancing the lives of older adults. RSVP recruits and matches adults, age 55 and better, with community volunteer opportunities that capitalize on their wisdom, skills and experience. There are more than 450 active volunteers on O'ahu serving in more than 50 non-profit organizations and public agencies. In 2010, they contributed more than 85,000 hours of service to the community, which amounts to \$1.5 million in service. These volunteers vary greatly in age, background, status, ability, interests, ethnicity, and professional and educational level.



RSVP is currently recruiting volunteers to help meet the most critical needs in our communities. With Hawai'i having one of the fastest growing elder populations in the nation, we have many seniors who *need* help and many seniors who *can* help. RSVP keeps seniors healthy in their own homes with services, such as telephone reassurance, grocery shopping, light housekeeping, meal preparations, respite, transportation, health promotion, and information and assistance outreach. RSVP hopes to make a huge impact in increasing the health, well-being and quality of life of O'ahu's seniors.

RSVP is also in the process of creating a Senior University. At the university, volunteers will be able to conduct a class or take a class. This will give our volunteers the opportunity to share their knowledge, skills and talents with all generations. We will capture historical and institutional knowledge to enhance our community planning, growth and services.

The ultimate goal of RSVP is to build capacity in communities across O'ahu.

Elite Membership Eligibility:

- You must be 55 years or better
- Interested in learning new skills
- Eager to make a difference in a person's life

For information, call 768-7700 or 643-2732. ■



Action Line Serves & Recruits Seniors

2012 marks the 25th year of KHON2's Action Line program. Over the years, the program has fielded thousands of calls, and we all owe many thanks to this valuable community service.

Action Line is a consumer referral service that assists people in solving a wide variety of problems they have encountered with businesses, service providers and government agencies. It also uses KHON's resources to inform the community-at-large of relevant consumer issues.

Staffing is entirely by a dedicated team of volunteers. Volunteers are predominately seniors with a wide diversity of backgrounds and life experiences. Volunteers typically work one day a week from 9 a.m. to 1:30 p.m.

What they don't do—they don't intervene directly on the behalf of consumers. They also do not handle anonymous or third-party complaints.

How to contact Action Line: Phone lines (591-0222) are open weekdays between 11 a.m. and 1 p.m. Alternatively, consumers can email actionline@khon2.com.

The Action Line Web site tab is located at KHON2.com, which provides consumers with links that can be used to investigate businesses, file complaints and to gather information on a wide range of topics. Consumer Alerts and links to recent news stories can also be found on the site.

During 2011, Action Line received two huge awards—the Better Business Bureau's Ka Mea o Kako'o Award and the Hawai'i State Bar Association's Young Lawyers' Division Liberty Bell Award.

Volunteer Solicitation: Action Line is always looking for new phone and office volunteers. Training is provided. For more information, please visit the Action Line tab at KHON2.com or email at Actionline@khon2.com. ■



Volunteers at work (L-R):
 Anni Suzuki, Jeanne McNeil,
 and Melba Kop

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Care in the Air

by Kawika Villa, Marketing Coordinator of Hawai'i Life Flight



Hawai'i Life Flight is an air ambulance provider serving the Hawaiian Islands, transporting patients from pediatrics to geriatrics. Its scope of care ranges from cardiac and trauma to neurological and burn patients.

This emergency air medical transportation is especially important for Neighbor Island residents who don't live near major medical centers, Kawika Villa says. "If you or a family member suffer an accident or serious medical problem and needed to be transferred to a medical facility on another island," he says, "Hawai'i Life Flight will transport you in a modern, medically equipped and professionally staffed aircraft."

THE CREW

The Hawai'i Life Flight medical crewmembers average 10 years of critical care or emergency medicine experience. The flight nurses and paramedics use the latest technology and advanced education to transport patients who may require advanced procedures and monitoring.

NEW NAME, GOALS & SERVICE

Hawai'i Life Flight might be the new name in Hawai'i's air ambulance industry, but the company has actually been serving the state since 1979. Owner Joseph Hunt purchased Hawai'i Air Ambulance in 2006 to improve the quality of air ambulance services in the Islands. The company changed its name in 2010, and is now known as Hawai'i Life Flight. Hunt vowed to make vast improvements to increase the safety, reliability and responsiveness of the company to give the people of Hawai'i an air medical transportation company worthy of their trust and support.

In 2006, Hunt got to work right away hiring an entirely new management team. He replaced

the older Cessna fleet with newer, faster aircraft, opting for Raytheon King Air C90B models. More than \$2 million of custom reconfiguration work was done to prepare the fleet for the demands of Hawai'i's medical community. The company also raised the bar when selecting pilots, aircraft maintenance and medical personnel to above current FAA and industry standards. In addition, new positions were created to monitor and ensure quality management and safety, compliance, efficient communications and risk assessment.

Hawai'i Life Flight's vision was to decrease the wait times and ensure safe, efficient and reliable response. Hawai'i Life Flight has opened six bases throughout the state at Līhu'e, Kahului, Honolulu, Kamuela, Hilo and Kona. Each of these bases has a flight crew response time of approximately 20 minutes or less to the patient's bedside or base airport. Crews actually live in the communities they serve and participate at various community events.

MEMBERSHIP PROGRAM

Hawai'i Life Flight also has a membership program that makes out-of-pocket expenses affordable to patients. Most major insurance carriers are accepted. Hawai'i Life Flight membership program waives the member's insurance deductible and co-payment when Hawai'i Life Flight provides emergency air medical transportation between the Hawaiian Islands.

Membership prices start at just \$49 per year for seniors, ages 55 and up. Family plans are also available, and cover the applicant, spouse and dependents to age 18 or 23 if fulltime students.

For more information, contact Kawika Villa at (808) 833-2270, kvilla@hawaiilifeflight.com or visit www.hawaiilifeflight.com. ■

Respite & Reprieve

by Theresa Basta, Manager of Franciscan Adult Day Center, Mānoa

Finding just the right place to provide care and attention for older adult family members can be challenging for caregivers who work full time during the day. It's a serious dilemma: physically, the older adults may be fine, but may have dementia or be experiencing memory loss, and therefore cannot be safely left at home alone during the day.

The **Franciscan Adult Day Center** in Mānoa, a program of St. Francis Healthcare System, provides caregivers peace of mind, knowing their family is in good hands while they're at work.

Family caregivers must be available 24/7 and that can cause a drain on physical, emotional or spiritual health. To prevent caregiver burnout, the center also welcomes participants so that caregivers can enjoy some respite. A welcome break or being able to take care of other responsibilities during the day can make a world of difference for caregivers.

I know what it's like to care for a family member. For years, I was the sole caregiver for my husband, who had Alzheimer's. I can relate to both the caregivers as well as the participants in our program, formally known as the Sister Maureen Intergenerational Learning Environment (SMILE).

Whether it's taking the time to understand the challenges and needs of the caregivers or spending time listening to the concerns of the participants, it's a privilege to give my undivided attention to each of them. I have a great team of aides who help with a range of activities for the participants throughout the day. Whether it's serving nourishing meals, leading an exercise group or planning a recreational activity, we're always doing something to keep our participants active and engaged, while maintaining a structured environment. Studies show—and our experience confirms—that

older adults need social interaction to prevent loneliness or depression. The quality of life can be maximized through activities, socialization and professional supervision.

We also take occasional field trips and invite guest speakers to the Franciscan Adult Day Center. Intergenerational learning is one of the unique features of our program as students from nearby schools come to share in activities that benefit everyone.

It's amazing to see how much both the students and program participants enjoy themselves. We plan to replicate this model of intergenerational caring at the St. Francis Intergenerational Center in 'Ewa, a new center that will combine adult day care and pre-school all in one convenient location to serve those in the burgeoning West O'ahu region. Construction will begin next year on a parcel across from Franciscan Vista 'Ewa, the St. Francis Healthcare System's fully-occupied affordable senior independent living center.

For more information and/or for a tour of Franciscan Adult Day Center, call **988-5678** or visit www.franciscanadulday.com. ■



It's A Good Move

by Cynthia Arnold

As Baby Boomers begin to retire, many are choosing to downsize to a simpler life. After their children leave the nest, many seek a more comfortable living environment as they enter senior-hood. Some opt to spend their retirement years living in a smaller home, retirement community, or with their adult children. This transition is often overwhelming and very stressful. With years of memories and accumulated “stuff” in their home, people simply don’t know where to begin. The good news is that there is help available.

Senior Move Managers LLC, also dba Declutter Hawai‘i, was formed by Dan and Julie Ihara in October 2010. After years of servicing senior clients in their real estate business, they have created efficient, friendly tools that help seniors downsize their personal belongings. They’ve learned ways that help people de-clutter their homes and make decisions about their belongings. In January of 2011, they joined the National Association of Senior Move Managers (NASMM) as the first and only Senior Move Management firm in Hawai‘i. Dan’s niece, Cynthia Goya Arnold, is the Vice President of Operations and manages the day-to-day services for their clients. Since the inception, Senior Move Managers has helped dozens of clients move into retirement communities, condos, as well as helped clear out family estates.

“We’ve seen it all—from the vacant “hoarder home” to the everyday senior who has lived in the same home for 80 years. No job is too big or too small for us,” Dan says.

Senior Move Managers can also help with downsizing and de-cluttering homes to make them safer and more functional for those choosing to age in place. “Regardless of age, most people can use some help with de-cluttering,” Julie says. “We do everything possible to minimize stress for our clients.”



From decluttering to creating a fresh, new look again.



Senior Move Managers is bonded, insured and nationally certified with the NASMM. As such, the company provides a free consultation to determine its clients’ goals, and offers a “plan of attack” and a schedule to meet those goals. Each client receives customized services based on their situation. Other services include creating floor plans, coordinating vendors and setting up new homes.

“Our clients tell us that they enjoy the peace of mind knowing that we’re here to help with every aspect of their move,” Dan says. “We started this business to help families through an often challenging phase of life. As a local, family-owned and -operated business, we treat our clients like family.”

For more information, call Cynthia Arnold at 221-8345 or Dan Ihara at 256-7873. ■

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Are you a caregiver to your mom, dad or others in your family? Have you ever thought about seeking assistance but felt guilty about accepting outside help? You may feel like you're giving up on your elders, but, in fact, receiving help can actually make you a better caregiver.

Taking care of your elders means giving them the best care possible—whether the attention comes from you or from others. During the early years, your own loving hands and caring heart may be sufficient, but things could become more difficult as your elders need more assistance. Eventually your fulltime care giving can lead to burnout and poor health.

Safe Harbor Home Care, Inc. can be your partner in managing care giving for your family. Its team is lead by Ester Ramos, a registered nurse with 40 years of experience. She owned and managed a 23-bed care home for 13 years. Prior to that, she owned and managed a Medicare/Medicaid-certified home health agency in California for 10 years. In addition, she also managed a hospice agency for 3 years. Ester's nursing and management background experience is invaluable in the homecare business.

Ester has surrounded herself with equally competent professionals to train, educate and supervise nurse's aides. The trained staff shares the core belief that each client and their family situation is unique and must be respected and nurtured. With cultural awareness and sensitivity Safe Harbor establishes mutual trust and a therapeutic relationship.

Safe Harbor Home Care, Inc.
808-638-3638, www.safeharborhomecare.com. ■

Time to Scoot!

Thanks in part to convincing commercials on TV, many people are sold on the benefits of scooters and powerchairs before they even enter a showroom.

The problem is that they don't know much about the products themselves or what's involved in getting a power mobility device covered by insurance companies.

Before you get revved up to go, here's a list of questions to answer yourself before you shop:

1. What is your height and weight? Your height and weight will determine which models will work best for you.
2. Are you going to ride the scooter only indoors, strictly outdoors, or a combination of both? What activities do you like to do on a daily basis? If you are just going to use it indoors you can get a smaller unit with smaller batteries. If you plan on going out with it for the day it would require more battery power.

3. Are you going to use the device every day? How much time will you be on the vehicle?

4. Are you going to transport the scooter or powerchair with a vehicle or take TheBus or HandiVan?

___ Will you use it in a place of employment?

___ Will you vacation with it?

___ How will you transport it?

___ Do you have a lift or ramp for their vehicle?

6. Are you going to pay for the mobility device yourself or try to get it covered by insurance? If opting for insurance, bring in your photo ID, and all copies of insurance cards on your initial visit to a showroom.

Dauterman Healthcare & Mobility has many scooter and powerchair models on display for you to try. For more information, call **591-8860** or visit www.dautermanmedical.com. ■

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your **MIND & BODY**
by Dr. Ritabelle Fernandes, MD

Diabetes: Are You Too Sweet?

Diabetes is a chronic disease characterized by high levels of blood sugar. According to the Centers for Disease Control and Prevention, 25.8 million children and adults in the United States, or 8.3% of the population, have diabetes. Of this number, 7 million are undiagnosed. Among seniors, 10.9 million, or 26.9% of all persons over the age of 65, have diabetes. It affects both men and women alike.

TYPES OF DIABETES

Type 1 diabetes can occur at any age, but it is most often diagnosed in children, teens or young adults. This disease results from the body's failure to produce insulin (a hormone that regulates carbohydrate and fat metabolism in the body) and requires the person to inject insulin. The exact cause is unknown.

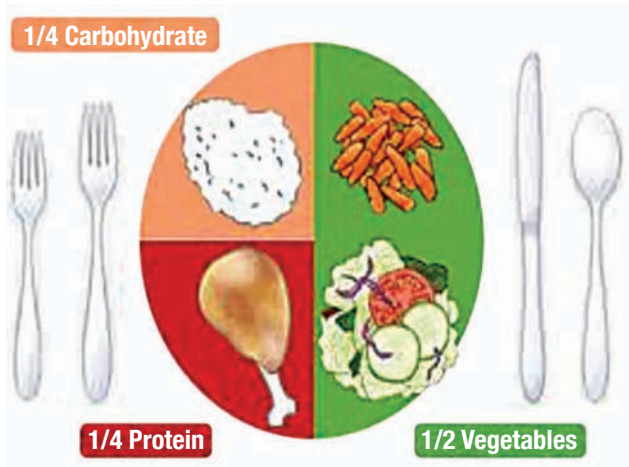
Type 2 diabetes makes up majority of the diabetes cases. It occurs in adulthood, but teens are now being diagnosed with it because of high obesity rates. It results from insulin resistance, a condition in which the body's cells fail to use insulin properly.

COMMON SYMPTOMS OF DIABETES:

- Frequent urination
- Sudden weight loss
- Unusual thirst
- Increased hunger
- Blurred vision
- Wounds that are difficult to heal
- Frequent infections
- Tingling or numbness of hands and feet

How is diabetes diagnosed?

Blood testing of fasting blood glucose, oral glucose tolerance test or Hemoglobin A1 test is use to diagnose diabetes. A fasting blood glucose of 126 or higher is indicative of diabetes.



Are lifestyle modifications effective?

Lifestyle modifications, such as a healthy diet and exercise regimen, can be a very effective way to keep diabetes in control. Multiple small changes can lead to improvements in diabetes control, including a decreased need for medication.

The Plate Method encourages persons to eat their meals filling ½ their plate with fruits and vegetables, ¼ carbohydrates (starch) and ¼ lean protein.

What are the complications of diabetes?

Long-term complications include heart disease, stroke, kidney disease, neuropathy, eye diseases and peripheral vascular disease. These complications can seriously affect the quality of life of persons with diabetes.

How can a person prevent complications from diabetes?

Improved blood sugar control can slow the progression of long-term complications. Good control of blood pressure and cholesterol is needed. Any medications the physician prescribes to control these conditions need to be taken consistently. Take an aspirin once a day. Seek out dental care at the first sign of infection or other dental issues. Brush and floss daily. Check feet regularly and wear good footwear. Yearly eye exam to check vision is recommended. Reduce stress as much as possible. Quitting smoking is the best decision a person can make to improve their health. ■

When Good Drugs Go Bad

by Susie Corse of AlohaCare, a Hawai'i-based Medicaid and Medicare health insurance company

Help your drugs help you! Your medications only work as well as they are handled.

Where do you keep your medicines? Are they in different places — some in the medicine cabinet, some in the kitchen, and some in your car, purse or elsewhere? It's important to keep track of your drugs so you know where they are when you need them.

Pharmacists encourage all of us to clean out our medicine cabinets once a year. Unused or expired drugs, over-the-counter medicines, vitamins and herbals can lose their strength and may be harmful to your health.

FIVE SAFE STORAGE TIPS:

- Store containers in a cool, dry place. Your drugs may lose their potency before the expiration date if they are exposed to oxygen, heat, light or humidity. Don't leave the cotton plug in the bottle. The cotton draws moisture into the container. Many people store their drugs in the bathroom. This is actually one of the worst places to keep medicine. Bathroom cabinets tend to be warm and humid.
- Take inventory of all your medicines. Make sure that you're familiar with the drugs and what they do. Talk to your pharmacist if you have any questions about your drugs.
- Make sure that all drugs are clearly labeled and in their original containers, away from other substances that might be mistaken for them.
- Keep drugs out of the reach of children. Keep them secure from teens, reducing the risk of misuse.
- Throw away any drugs you no longer need. Do not share drugs with others.

WHY THROW DRUGS AWAY?

Part of taking drugs safely means not using them after their expiration date. Don't take any chances with a medicine that no longer works the way it's supposed to.

- Throw away any drug you have not used in the past 12 months.

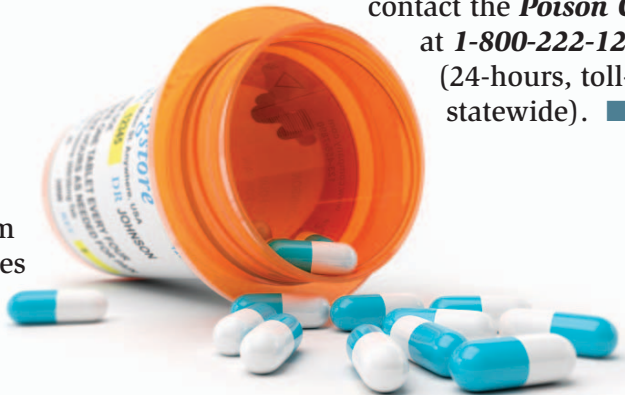
- Throw away drugs no longer in their original container or that can no longer be identified.
- Throw away medicines that have changed color, odor or taste, regardless of the expiration date. Throw away capsules or tablets that stick together, are harder or softer than normal, or are cracked or chipped.
- Check the expiration date for eye drops and eardrops, too. They may no longer be effective and, worse, could be a breeding ground for bacteria or fungus.

HOW DO I THROW DRUGS AWAY?

When drugs are thrown away incorrectly, they can harm the environment, pets and/or children. Don't flush old drugs down the toilet or pour them down a sink or drain.

Follow these easy steps before disposing drugs in the trash:

- Pour the drug into a sealable plastic bag. If the drug is a solid (pill, liquid capsule, etc.), add water to dissolve it.
 - Add kitty litter, sawdust, coffee grounds (or any material that mixes with the drug and make it less appealing for pets and children to eat) to the plastic bag.
 - Seal the plastic bag and put it in the regular trash.
 - Remove and destroy all identifying personal information (prescription label) from all containers.
- If you find a drug and you don't remember what it is, or you have other drug-related questions, contact the **Poison Center** at **1-800-222-1222** (24-hours, toll-free, statewide). ■



80 Years of Valuable Service

The Hawai'i Library for the Blind and Physically Handicapped (LBPH) is part of the Hawai'i State Public Library System (HSPLS) and the Library of Congress, National Library Service for the Blind and Physically Handicapped (NLS).

In 1931, the Trustees of the Library of Hawai'i made a request through Gov. Judd to have the Library for the Blind and Physically Handicapped serve as a depository of Braille books produced under the national program. This was made possible by the signing of the Pratt-Smoot Act by President Herbert Hoover on March 3, 1931. In July 1931, Hawai'i became one of the original 19 libraries established.

LBPH provides free services to eligible residents in the State of Hawai'i and U.S. territories and possessions in the Pacific area. Patrons must be unable to read or use regular print materials due to a visual or physical disability. Certification by a competent authority is required. Books, magazines and special equipment are made available for borrowing.

LBPH provides books and magazines in audio, Braille and large type formats, as well as transcribing and radio reading services.

The audio book program has seen many changes over the years, from long playing records to cassette tapes to digital technology. Patrons, both adults and children, have been able to enjoy their favorite books and magazines.

Now, registered patrons can also borrow Digital Talking Book Machines and Digital Books. The smaller lightweight machine has improved digital sound quality and a rechargeable battery.

Technology has also made it easier for patrons to enjoy the thousands of books available through NLS. Registered patrons can now download books through BARD (Braille and Audio Reading Download). Contact LBPH for more information.

Large type books are also available to those who have a HSPLS library card. You can apply for a library card at LBPH or any public library.

The Transcribing Services Section at LBPH produces materials not already available into accessible formats.

The Radio Reading Service Hawai'i program allows patrons on Oahu and Maui to listen to selected articles from the *Honolulu Star-Advertiser*, articles from local publications like *Midweek*, Longs ads, food ads from the local grocery stores and other programs of interest to our local community. The library can provide patrons with a special radio receiver to enjoy the broadcast over a sub-channel of KHPR, Hawai'i Public Radio.

For more information and/or application form, contact the Hawai'i Library for the Blind and Physically Handicapped:

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The Blessings of Having a Church Family!

by Pastor Russell Higa



My mother Sue (Sumiko) Higa died in July of 2010. She was 84 years old and for nearly half of her life she suffered with rheumatoid arthritis. Mom came to live with us in our Mānoa home for the last two years of her life.

What was Mom's greatest joy during the latter years of her life? It was going to church on Sunday. After her bath on Saturday afternoon my wife Judy would fix Mom's hair up really pretty, and pick out a "nice outfit" for her to wear to church.

On Sunday mornings, Mom would get up very early and Judy would dress her in her "nice outfit." Then, at 7 a.m., I'd help her get into our car. Once she was seated in the car, I would pull down the car visor's mirror above her so she could take one last glimpse at how she looked. I'd tell her that she looked real good! Once we arrived at church I would help my mother into her wheelchair and move her to her favorite spot at the back of the church. There she would chat with her friends and many would come to greet her and hug her. Mom was always smiling on Sundays.

After the worship celebration Mom would be wheeled to the social hall to gather with her 30 or so friends for the Senior's Class. There she "talked story" and had a grand time with all of her friends. Mom would always come home with gifts of cookies and candies from her friends. Sunday mornings were the highlight of my mother's week.

What are the blessings of having a church family?

- Friends and family may be distant but you can see your friends at church every week.
- If you're fortunate like my mother, you'll come home with all kinds of gifts.
- A good church family will provide support and prayers for you.
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- It's a lot better than watching TV or Korean soap operas all the time.
- You will be encouraged and inspired by the spiritual lessons that you will learn.
- You'll have a Christmas party to go to (if you attend our church)!

Make Sunday mornings a delightful time of your week. Find a good church and be blessed by having a church family.



Blessings!,
Pastor Russell Higa



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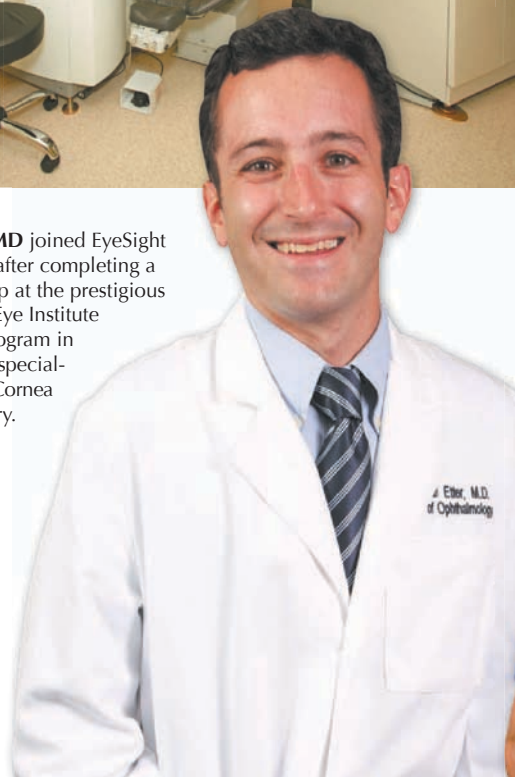
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What's Special in 2012 with Medicare

by Pamela Cunningham, Hawai'i SHIP – Sage PLUS Program

The holidays quickly came and went, along with December 7th, which is the end of Medicare's annual enrollment period. Some folks missed their opportunity to add, change or drop their Medicare plan, and they want to know if they have any options now that the annual enrollment period is over.

There are several opportunities to change at this date and we are going to explain each one.

Annual Disenrollment Period:

Each year from January 1st–February 14th is the annual disenrollment period. During this time if you are in a Medicare Advantage Plan (AlohaCare, HMSA, Humana, Kaiser Permanent, Ohana Health Plan and UnitedHealthcare), you have a one-time opportunity to change back to Original/Traditional Medicare (only) and enroll in a Medicare Part D plan if your Medicare Advantage plan included drug coverage. You cannot use this opportunity to add or drop prescription drug coverage. If you decide to use this option, please check with your health care providers (favorite physician, therapists) and make sure that they will accept Original/Traditional Medicare and continue to see you as a patient.

New Five-Star Special Enrollment Period:

This is a new benefit in 2012. Medicare has been collecting data on the Medicare Health and Drug Plans and has rated them on a five "star" scale, based on standard performance measures. Five Star being excellent performance and one star being poor performance. Some of the measures include: member satisfaction, managing chronic conditions, staying healthy, customer service and pharmacy benefits. Medicare gets some of this data from the "member satisfaction" surveys that you sometimes receive from your health plan after a visit to the doctor. Also, if you've called 1-800-Medicare and registered a "concern or complaint," they take those calls very seriously.

Not every state and county has access to a five-star plan. In 2012 there are approximately nine health plans in the nation that are "5 stars."

Hawai'i, be proud, we have one of them. Hopefully in 2013 all of our health and drug plans will be rated with 5 stars.

This special enrollment period is available December 8, 2011–2012. It is a one-time opportunity to change to a 5 star plan, if it is available in your area. You can do this at anytime beginning December 8, 2011. This special enrollment period again is not an opportunity to add or drop health and drug coverage.

Other Special Enrollment Periods:

If you receive "Extra Help" (also known as low-income subsidy), you have a continuous special enrollment period throughout the year.

Working Individuals. If you didn't sign up for Medicare Part A and/or Part B when you were first eligible for Medicare (at 65 years of age) and you were covered under an employer group health plan based on current employment (either you or your spouse or family member if you are disabled) and that coverage ends, you have an 8-month window to enroll in Medicare Part B and 63 days to enroll in drug coverage. If you miss either of those windows then you have to wait until the general or annual enrollment periods. COBRA benefits (federal law which allows you to purchase your employer health coverage) is not considered "creditable coverage" for Medicare Part B and you may not be eligible for a special enrollment period and may have to pay higher premiums when you do enroll.

If you would like to know more about special enrollment periods, you can view the *Medicare & You* handbook (paper form or on-line). For more information about enrolling in Medicare Part B, please visit www.socialsecurity.gov. And for information about Medicare and the health plans available in Hawai'i, please call Sage PLUS Program, also known as the Hawai'i SHIP (State Health Insurance Assistance Program). This program is a federal grant from Medicare to assist you in understanding the benefits of the Medicare Program. ■



Autumn Lessons for Retirement

by Jane Yamamoto-Burigsay, Social Security Public Affairs Specialist in Hawai'i

In autumn, animals know winter is coming and take the steps to prepare. Bears grow thicker fur and settle in for peaceful hibernation. Squirrels collect and store acorns and other nuts. Birds, favoring warmer weather, migrate south for the winter.

When it comes to preparing for retirement, we can learn from the animals—making sure the transition into the later years of our lives is as smooth and comfortable as possible. The best place to start is a visit to www.socialsecurity.gov.

You can get an instant, personalized estimate of your future Social Security benefits at www.socialsecurity.gov/estimator.

To prepare for a comfortable retirement, you should start saving as early as possible. Social Security is the foundation for a secure retirement, but was never meant to be the sole-source of income for retirees. In addition to Social Security, you also will need savings, investments, pensions or retirement accounts to make sure you have enough money to live comfortably when you

retire. Learn about retirement planning and how to save at www.socialsecurity.gov/retire2/other2.htm. But wait, there's more.

If you decide you're going to be a "snowbird" when retirement comes, and go to warmer climates during winter weather, make sure that your Social Security payment goes with you. The best way to do that is to use direct deposit. You never have to worry about your monthly payment—it will show up in your bank account whether you're in the Dakotas or the Florida Keys. Learn all about electronic payments at www.socialsecurity.gov/deposit.

Whether you're in the spring, summer, or entering the autumn of your life, the best time to start preparing for retirement is always the present. Even the animals know they can't wait until the last minute to prepare for a comfortable winter. Take a lesson from our furry and feathered friends and prepare for your own comfortable, and cozy, retirement. ■

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AARP Survey Shows Island Residents Unclear about Who Pays for Long-Term Care

Nearly 800 residents throughout Hawai'i attended public information sessions on long-term in mid-October. The events were hosted by AARP and featured state and national issue experts who brought the realities and myths of long-term care into sharper focus.

Among the many issues covered was the role of Medicare in paying for long-term care—an apparent source of confusion for many older Island residents. A new survey of AARP members in Hawai'i shows that 27 percent of O'ahu residents age 50+ believe Medicare pays for long-term care services if they or a family member become ill or disabled, even though the federal program provides extremely limited coverage.

The survey shows that Neighbor Island residents are more likely to believe Medicare pays for long-term care than Honolulu residents: Kona (41 percent), Kaua'i (40 percent), Hilo (35 percent), and Maui (32 percent). This misplaced confidence—in the face of Hawai'i's rapidly aging population—underscores the need for public education about the costs of long term care and how to pay for it.

"Two-thirds of us will probably need some form of long-term care support at some point after reaching age 65," says AARP Hawai'i State President Stuart Ho. "Yet, Hawai'i residents are woefully uninformed about the basic realities of long-term care—including how much it costs and who pays for it."

A featured speaker at the public events was AARP Senior Legislative Representative Ilene Henshaw, who focused on the coverage—and coverage limitations—of Medicare and Medicaid. She also identified questions to ask when considering private insurance and other financing options. Ho, who also serves as chair of the Long-Term Care Commission, offered an update on the challenges facing Hawai'i as the Commission gets ready to present recommendations for reform to the state Legislature in 2012.

If you have questions about Medicare and Medicaid and how much the programs pay for long-term care, the State of Hawai'i's Sage PLUS program, **586-7299**, is a great source of information. If you belong to a group and would like to invite AARP Hawai'i to speak to your members about planning for long-term care, call AARP Hawai'i at **545-6006**. ■

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New and Powerful Estate Planning Tool: the Hawai'i Asset Protection Trust (APT)



by Scott Makuakane
Est8Planning Counsel, LLLC

Two years ago, Hawai'i joined Delaware, Nevada and 11 other states in validating self-settled spendthrift trusts. What this means is that you can now create a trust for yourself that will protect your assets from your own creditors. This is a huge departure from prior law, which expressly prohibited such trusts. For convenience, we will call them APTs, which stands for Asset Protection Trusts.

Not only do APTs provide asset protection, they can also be made to last forever, or at least until all of the assets are used up. Hawai'i law has long recognized something called the rule against perpetuities, which essentially says that a private trust (that is, any trust other than a charitable trust) can last for about 100 years, and then the trust must terminate, and the assets must be distributed. This is a throwback to the law of England (where most American law comes from) and a time when the king did not want land being tied up in trusts because it impaired his ability to tax it. Now that our government has developed a solution to this problem, Hawai'i has joined the ranks of states that allow the creation of so-called Dynasty Trusts.

Hawai'i's first attempt at allowing APTs, which was back in 2010, was doomed to failure. For one thing, the law imposed a 1% tax on all assets transferred to APTs. The law also limited the kinds of assets that could be put into APTs, and it allowed a trustmaker (someone creating an APT) to place assets comprising no more than 25% of his or her net worth into an APT. Since the laws of other states did not include these restrictions, there was very little incentive for someone to create a Hawai'i APT.

In 2011, our Legislature removed the restrictions on APTs, so that a person can place any

kind of property into his or her APT, and there is no 1% tax imposed on each asset transferred into the trust. The new law became effective on July 1, 2011, and Hawai'i APTs are now viable tools in many people's estate plans.

A Hawai'i APTs is not for everybody. You should only create one if you understand what it is and how it works, and before you do anything else, you should seek the assistance of competent legal counsel and other advisors who can help you evaluate whether this is a workable strategy for you.

The new Hawai'i law says that you cannot be the trustee of your own APT, but you can pick any Hawai'i resident or Hawai'i financial institution as your trustee. The trustee can have the discretion to make distributions to you or for your benefit, but you cannot have the unfettered right to demand whatever you want whenever you want it. You can also retain the right to give the trustee investment advice, and you can also have the right to veto distributions from the trust.

Perhaps the most important thing to understand about Hawai'i APTs is that they do not shelter assets from claims of existing creditors. In other words, you cannot incur a debt (for example, by way of a car accident or a bad business deal) and then create a Hawai'i APT to shield you from liability on that debt. On the other hand, the ideal time to create a Hawai'i APT is before you start a new business or launch a practice in a field such as medicine, law, or architecture, where legal claims against you are an ongoing risk. ■

For more information about Scott Makuakane and his law firm, Est8Planning Counsel, LLLC, visit www.est8planning.com. Or tune into his weekly TV talk show, **Est8Planning Essentials** on KWHE (Oceanic channel 11) at 8:30 a.m. on Sunday evenings.

Visit www.bbb.org.

Charity Scams Target Seniors Heavily During the Holiday's

Donating money to charity is one of the most selfless things a person can do. Unfortunately, criminals can easily prey on these selfless acts, using a person's desire to help the less fortunate for their own personal gain.

Seniors should be especially mindful of fraud schemes during the holidays. The FBI notes that seniors are most likely to have a nest egg and an exceptional credit rating, making them very attractive to criminals.

If you plan to donate money this holiday season, the Better Business Bureau (BBB) offers the following advice:

Be cautious when giving online. Be cautious about online giving, especially in response to spam messages and emails that claim to link to a relief organization.

When in doubt, check it out. When an unfamiliar organization asks you for a donation, don't give without gathering details about the charity, the nature of its programs and its use of funds.

Check out a charity's claims. Despite what an organization claims, charities have fundraising and administrative costs. Even a credit card donation will involve, at a minimum, a processing fee. If a charity claims that 100 percent of collected funds will be assisting, check it out.

Think before you give. If you are solicited at home or on the street, take a minute or two to "think." Ask for the charity's name and address, and get full identification from the solicitor and review it carefully. Ask to see written information on the charity's programs and finances.

Giving later might be better. Never feel pressured to give on the spot. Legitimate charities will welcome your money tomorrow. If the solicitor pressures you with intimidation or harassing phone calls, don't hesitate to file a complaint with BBB.

Watch out for cases of mistaken identity. With hundreds of registered charities in Hawai'i alone, it's not surprising that some charity names sound alike. Be careful that the one soliciting you is the one you have in mind.

Watch out for charity fraud. Legitimate charities do not demand donations. They willingly provide written information about their programs, finances or how donations are used; and they never insist you provide your credit card number, bank account number or any other personal information. ■

A New Law Enhances Estate Plans

"The last temptation is the greatest treason:

To do the right deed for the wrong reason."

T.S. Elliot

On June 27, 2011, the Hawai'i Legislature enacted a law allowing the transfer of property at death using a beneficiary designation called a Transfer on Death Deed (TODD). The TODD is affords people the opportunity to avoid probate, by substituting the TODD for other estate planning tools, such as a Will or Trust. The state reasoned that the TODD would bring simplicity and reduced cost of their estate plan.

I would encourage you to consider the TODD not as a substitute, but as an enhancement to your estate plan. The quote by poet T.S. Elliot, reminds us of an important message—that motivation is important, and if the reason for doing something is unsound, it can disrupt the design and flaw the entire plan. Using the TODD as a substitute could cause missed opportunities, such as:

Simplification through consolidation. A Trust can consolidate all instructions into one place. Once assets are directed into a Trust, only the Trust needs to be reviewed to make sure that it continues to align with the benefactor's wishes. Naming numerous beneficiaries adds complexity to a plan, necessitating the examination of several forms every time the plan is reviewed.

Planning for incapacity. Injury and illness can happen at any time. Sometimes, we may become incapacitated to the point where we cannot make decisions for ourselves. Making a Health Care Power of Attorney, Financial Power of Attorney and a Revoca-

ble Trust allows us to appoint someone we trust to make decisions for us. The alternative is guardianship court where a judge decides who will make decisions for us.

Helping beneficiaries receive inheritance. A recent 30-year study analyzed 3,250 estate plans that were written by lawyers. Disturbingly, 7 out of 10 plans failed. Less than 2% failed due to "faulty lawyering," such as causing a probate or paying too much estate tax. The rest failed because siblings fought with each other, trustees quit, minor children inherited assets causing a guardianship proceeding, spendthrift children received

their inheritance outright and misspent it, or responsible children lost their inheritance to divorce or creditors.

Consider the TODD not a substitute but as an enhancement of your plan. The TODD can also benefit people who own real estate as husband and wife, or tenants by the entirety (T/E). They hold their property as T/E for the State Legislated creditor-protection. The risk to couples holding title this way is probate if they die simultaneously. However, a TODD can be prepared to name the couples' Trust as the beneficiary of the property, eliminating the risk of probate. It also allows the couple to continue to enjoy the creditor-protection that holding property as T/E affords.

The State Legislature may have underestimated the beneficial use of the TODD, and it's to our advantage to use it as a way to protect and enhance estate plans.

Stephen B. Yim, Attorney at Law

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