Elder Care *Toolkit*

For families in crisis

For the first hour. The first 72 hours. The first 30 days.

LEGALSHIELD.COM · AUGUST 2026

What's *inside*

The kit is a ladder. Each section is one rung. Open to wherever you are right now.

In a crisis *right now?*

Skip everything else. Go straight to the pocket sheet. Print it, fold it, and carry it with you.

page 5
START HERE

The kit is organized by time.

The pocket sheet for ***the next hour***.

The first ***72 hours***.

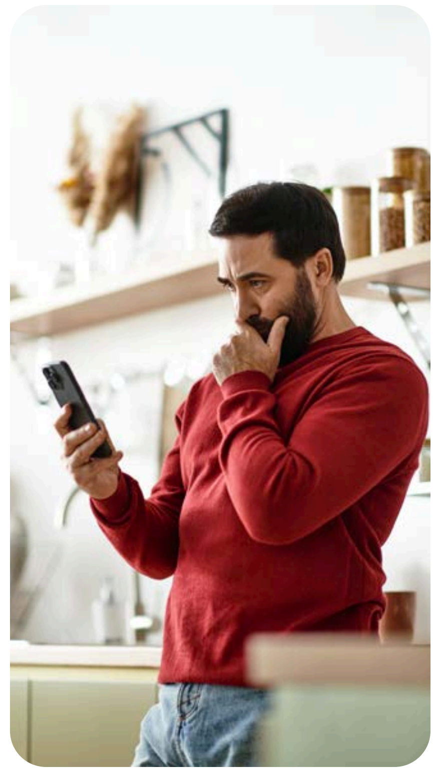
The first ***30 days***.

Open to what you need.

FROM WARREN SCHLICHTING, CEO, LEGALSHIELD

"Legal help shouldn't be a privilege. For most working families, hiring a lawyer is the bill they put off until they can't. A year of LegalShield membership runs about what one billable hour with an attorney will cost you, for easy access to one of the 35 provider law firms behind us. That's why we built this kit. So families can use that access in the worst week of their lives, not the week the bills arrive."

Warren Schlichting, CEO, LegalShield



72%

of you said you'd enroll in an integrated legal and senior-care benefit if your employer offered one.

Source: LegalShield Sandwich Generation Survey April 2026 (n=1,106, adults 40-60yo)

Doubled

Elder-care legal requests to our provider firms have more than doubled since 2022. Most of them now come from Millennials and Gen X, calling on behalf of their parents.

Source: LegalShield Intelligence (provider firm Areas of Law, 2022-26)

How this kit *works*

Who it's for

The kit is for any adult caring for an aging or ill loved one. It was written first for the Sandwich Generation, the adult juggling kids at home and a parent in decline.

The stroke. The fall. The diagnosis. The 2 a.m. call. If that's why you're here, start with the pocket sheet. Read the rest when you can.

How to use it

The next page after this one is built to print, fold, and put in a pocket. Take it with you. The rest of the kit is here when you have a quiet minute.

What this kit is not

It's not medical advice. It's not legal counsel.

For documents and step-by-step planning, see the LegalShield Estate Planning Guide. For family decisions and sibling roles, see the LegalShield Sibling and Family Conflict Guide.

> **For medical emergencies, dial 911 before you read another word.**

The 'Go' Bag

- Medication list: type and dosage
- Insurance card
- Phone charger
- Allergies
- Photo ID
- Names, emails, and numbers of two emergency contacts

FOLD

Three sentences for the doctor

- "I'm [your name], and I'm their [relationship]."
- "They do, or do not, have a Medical Power of Attorney."
- "What's their condition, what decisions do you need from me in the next 24 hours, and when will we know more?"

FOLD

Who can make medical decisions right now?

Does the Medical Power of Attorney exist?

- **Yes.** The named person signs. Bring the document if you have it.
- **No.** Most states have a default-surrogate ladder. Spouse. Adult child. Parent. Sibling. The order is fixed by state law. Ask the hospital social worker which order applies here and where your loved one fits.
- A handful of states have no default-surrogate law at all. Ask the hospital social worker or patient advocate whether yours is one. If it is, go straight to ethics consult or emergency guardianship.
- Nobody available? Ask for an ethics consult. Tonight. Ethics consults are typically free, confidential, and available 24/7 to help families navigate hard medical decisions, end-of-life choices, or communication breakdowns. Any nurse or doctor can request one.

FOLD

Who to call

LegalShield Member Services.

800-654-7757

If you have the LegalShield and Care.com Senior Care Advisor coverage through your employer, call your Senior Care Advisor too.

Your notes

The hospital social worker. Your parent's primary doctor. The case manager's name. Anything specific to your situation.

First *72 hours*

You're past the first hour. You can think one move ahead now.

Who can legally make medical decisions right now

You checked the surrogate ladder in the first hour. Now pressure-test it.

Varies by State

- **Confirm the order.** Ask the hospital social worker which statute applies in your state and where your loved one fits. State law also fixes what counts as incapacity.
- **Path blocked?** Ask for an ethics consult. They're in-house, free, and confidential. Any nurse, doctor, or social worker can request one.
- **Still unresolved?** The next step is an emergency guardianship petition. This step will require an attorney consultation. **Attorney Consultation Recommended**
- **No ladder in your state?** A handful of states, including Massachusetts and Wisconsin, have no default-surrogate statute. Without a Medical Power of Attorney, plan for the ethics or guardianship path, not the bedside conversation.

> **Check first.** Ask the hospital social worker about your state's surrogate ladder before any major decision. *Note: not every facility has a social worker readily available. If not, ask the charge nurse or patient advocate.*

Discharge destination, one line each

Where they go after the hospital matters now. Each option comes with a different legal and financial trigger.

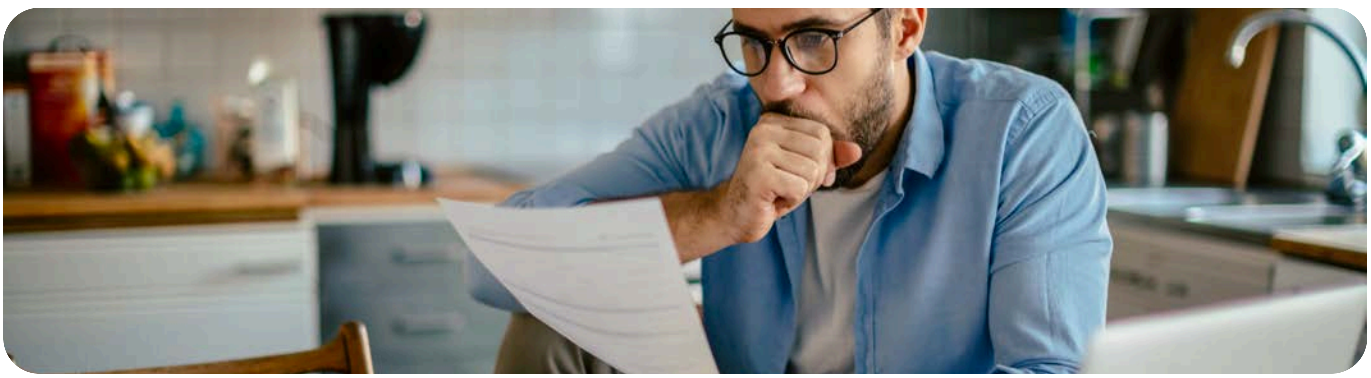
Home with services. Cheapest. Requires a caregiver at home. Medicare covers home health for a limited time only.
Skilled nursing rehab. Medicare covers up to 100 days after a qualifying hospital stay. For physical recovery, not long-term residence.
Long-term care facility. Out-of-pocket or Medicaid. Medicare does not cover this. If Medicaid is the path, the 5-year look-back clock is already running.
Attorney Consultation Recommended
Hospice. Medicare covers it under specific conditions, with a life expectancy of six months or less. Social work, grief counseling, and support are typically included.

> **Check twice.** Signing a long-term care contract is hard to undo. Consult an attorney or one of our provider law firms first.

Money triage

Note: these financial items typically fall under a Durable Power of Attorney, not a Medical Power of Attorney, and the designated person may be different.

- **Bills that auto-pay.** Utilities, insurance premiums. These keep going.
- **Bills that won't.** Anything paid by paper check from a checkbook your loved one can't reach.
- **Direct deposit.** Social Security and pensions keep arriving. Confirm the account is accessible.
- **Mortgage.** Many mortgages are on autopay. Confirm it, and note the due date.
- **Rent.** Usually not on autopay. Note the due date. Late fees compound fast.



Sibling notification, three-line template

> *"Mom (or Dad) was admitted today at [hospital]. Diagnosis is [condition]. The doctor said [hopeful, cautious, we'll know more in 24 hours]. I'll send another update tomorrow."*

The harder conversation about who does what comes in week two.

Workplace notification, three-line script

> *"If our workplace offers FMLA and I'm eligible, I would like to request FMLA leave starting [date]. My parent is in the hospital. Please send me the required paperwork at your earliest convenience. I will brief [colleague name] on my work by end of day."*

First *30 days*

The hospital is over. The ER is over. The discharge is done. Now the real work starts.

Document cleanup

Anything signed under pressure gets reviewed. Anything missing gets filed. This is the legal call. **Attorney Consultation Recommended**

Use your own attorney, or any one of the 35 LegalShield provider law firms covering all 50 states.

> **Remember.** Four documents to confirm or file.

- Durable Power of Attorney (financial)
- Medical Power of Attorney.
- Advance directive, sometimes called a Living Will.
- Simple Will, or a Trust

For depth on each one, see the LegalShield Estate Planning Guide. State-by-state notes live there too.

Write a care plan

Who does what. On what days. With what budget. The plan in writing prevents the four-month meltdown that comes from "we'll figure it out."

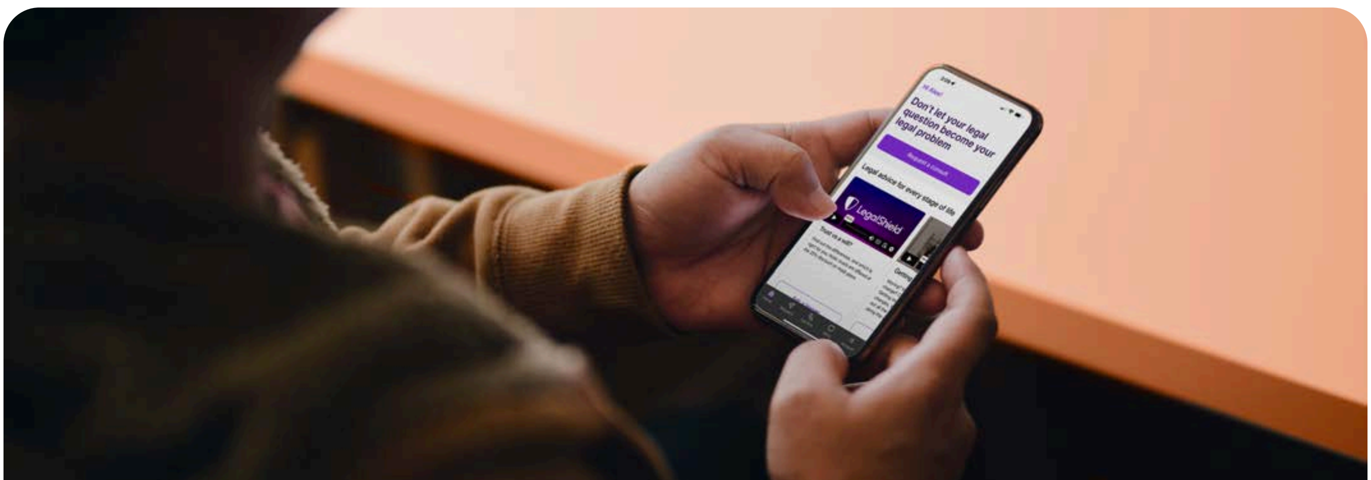
- Who is the in-person lead.
- Who runs errands: groceries, the pharmacy, the dry cleaner.
- Who handles bills and finances, if not designated in the Durable Power of Attorney.
- Who does the daily check-in: five-minute phone call, no agenda.
- Who talks to the doctors.
- Who handles social visits: Sundays, holidays, a weekly lunch.
- Who handles medication: refills, schedules, twice-daily check-in.
- Who tells the rest of the family.
- The monthly budget.

No one person is meant to handle all of this. You're one of your parent's social connections. Your siblings are too. The plan in writing splits the work before resentment sets in. But if you are handling this alone, there are resources, including your own attorney or any one of LegalShield's 35 provider law firms.

Hold the family meeting, calmer version

The hospital one was reactive. This one is intentional. One agenda. One outcome.

For family roles, decision patterns, and the harder cases, see the LegalShield Sibling and Family Conflict Guide. It does what this kit can't.



OPTIONAL

Download the LegalShield app

The app connects you to your provider law firm via your smartphone. The LegalShield app gives you access to the LegalShield Will questionnaire, contact information and provides important legal tips and plan information. You may also update your membership information directly through the app.

Download the app from the Android App Store or iTunes.

Ask your *employer*

You might already have help through your employer and not know it. Here's how to find out.

LegalShield has partnered with Care.com for their Senior Care Advisor benefit, one of the largest senior care platforms in the country. Ask your employer if they offer elder care benefits.

If they don't, save this page. Ask before the annual open enrollment period. The number of working caregivers asking has already changed what HR teams are buying.

80% of HR leaders said they're likely to add or expand a senior care benefit in the next 12 to 24 months. The door is open.

Source: LegalShield HR and Executive Survey, April 2026 (n=1,049)

What this kit can't do

It can't replace a doctor. It can't replace an attorney. It can't substitute for the hospital social worker who knows your state's rules. If your loved one is unconscious or bleeding, the answer is 911. Not this kit.

Where to go for more

- **LegalShield Estate Planning Guide.** For the document checklist and execution at depth.
- **LegalShield Family Master Document.** For the long-form account and asset inventory.
- **LegalShield Sibling and Family Conflict Guide.** For the family-dynamics work.
- If you have the LegalShield and Care.com Senior Care Advisor coverage through your employer, you can reach out to a Senior Care Advisor to help direct you through this process.