



# H.E.L.P.<sup>®</sup> Is Here

Information and advice for older adults and families

2010 Number 3

## Affordable Care For Seniors



**N**ews Flash: *The Affordable Care Act that ensures all Americans access to quality health care!* For seniors, it provides new Medicare protections and cost savings, including: **Free Preventive Care:** Starting in 2011, Medicare will provide *full and complete* coverage for:

- One yearly check-up.
- Screenings for colorectal, cervical and prostate cancers.
- Cardiovascular, diabetes and EKG screenings.
- Annual flu shots; and vaccinations for pneumonia and hepatitis Type B.

**Cheaper Prescription Drug Coverage:** Currently, Medicare Part D for prescription drugs covers your chosen plan's formulary or list of approved drugs. Here's how Part D now works:

- You must pay a yearly deductible of \$310.
- After that deductible, Medicare will reimburse you 75 percent for each formulary drug purchased.
- As 2010 proceeds, should your total costs for formulary drugs reach \$2,830, you will enter Medicare's coverage gap or "donut hole," and your Part D reimbursements will immediately stop. Medicare will automatically send you a \$250 rebate check.

- Once you've spent a total of \$3,610 on formulary drugs in 2010, Part D's *catastrophic coverage* kicks in. You will only be responsible to pay either 5 percent for each formulary drug purchased, or \$2.50 for each generic and \$6.30 for each brand-name drug, whichever is greater.

Medicare's new *donut hole* protections will start in 2011. You will immediately receive a 50 percent discount on all brand-name drugs from their pharmaceutical manufacturers. The discount percentage will continue to increase until 2020, when Medicare Part D will provide 75 percent coverage for all formulary and generic drugs, and catastrophic coverage will no longer apply.

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Visit the **Department of Health and Human Services'** new website at [HealthCare.gov](http://HealthCare.gov). It provides important information on preventive health care, and compares the quality of services provided by hospitals throughout the U.S.



## Thanks To You All!

by Sibylle Grebe, Esq.

*Celebrate Summer* – our yearly fundraising event – was an incredible success. It served as a perfect reminder of how much we appreciate and rely on the steadfast recognition by those whom we serve.

As many people know, H.E.L.P. was founded almost 15 years ago by Ed and Pat Long – recipients of this year's *Legacy Award*. Their goal was to provide older adults, their families and care providers with objective information on available care resources, legal protections and financial planning tools.

*Celebrate Summer* confirmed the value of H.E.L.P.'s fundamental purpose and mission. All of our services remain free or low-cost. They include one-on-one telephone, walk-in and email information and referrals from our community support staff; free community classes from both our attorney and gerontologist about powers of attorney for healthcare and financial matters, elder care options and financial planning tools; private legal consultations addressing proper care planning and estate administration; and, should conflicts arise, elder mediations guiding seniors and their family members to confront disagreements without ending up in court.

H.E.L.P. continues to rely on the support and assistance from *all* who are able to give – be it by way of charitable donations, estate bequests, timely contributions or volunteer work.

In recognition of our annual *Celebrate Summer* fundraising event, we gratefully express our thanks to all of you for honoring us with your past, present and continued support. ❖

*Sibylle Grebe, Esq., is Chair of the H.E.L.P. Board of Directors*

H.E.L.P. (Healthcare and Elder Law Programs Corporation) is dedicated to empowering older adults and their families by providing impartial information, education and counseling on elder care, law, finances and consumer protection so they may lead lives with security and dignity.

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Jean Adelsman, Karen Duncan, *Copy Editors*

*H.E.L.P. Is Here* gives general information, not specific advice on individual matters. This issue is based on law in effect in California on September 1, 2010.

Published by **H.E.L.P.**

1404 Cravens Avenue, Torrance, CA 90501-2701  
 310-533-1996

H.E.L.P. provides referrals to help older adults obtain care, social and other services. H.E.L.P. does not refer any person to any private attorney or private law office; all legal service referrals are to legal aid and similar free legal service organizations, or to attorney referral services operated by bar associations or similar organizations. H.E.L.P. does not request or accept referral or similar fees or compensation from any person or organization.

To request a copy of *H.E.L.P. Is Here*, change your mailing address or be removed from the mailing list, call us at 310-533-1996 or e-mail us at [magazine@help4srs.org](mailto:magazine@help4srs.org).

## Dementia... or Not?

**Q**uestion: *Dad keeps acting increasingly confused. Is this dementia?*

**A**nswer: Many people fear that older adults who start to be very confused might have dementia – a slow, progressive decline in one’s ability to think. Besides confusion, dementia symptoms often include short-term memory loss and an inability or refusal to communicate with others. Fortunately, with proper medical diagnoses and treatments, certain dementia-like symptoms can be stopped, and their impacts reversed.

Examples of reversible dementia include:

**Depression:** “*Pseudo-Dementia*,” the most common type of dementia

affecting older adults, is categorized as a type of severe depression. People suffering from it often have difficulties thinking clearly, concentrating or making simple decisions.

**Urinary Tract Infections (UTIs):** Many older adults lose muscle strength, and develop UTIs as their bladders do not fully empty with urination. Common UTI dementia-like symptoms include mental confusion, inactivity and loss of initiative to perform daily activities.

see *Dementia?* on page 6



## Innovative New Hearing Tools

**Q**uestion: *Why does Granny keep asking me to repeat myself?*

**A**nswer: According to the **National Institute on Deafness and Other Communication Disorders**, one-third of people aged 60 and above have problems hearing. Certain sounds come through well; others not so well, and others not at all. Few age-related hearing problems can be completely cured, but innovative new tools are available.

Well known symptoms of age-related hearing loss include:

- Having difficulties communicating on the telephone.
- Sensing that too many people are mumbling or slurring their words.

- Experiencing problems conversing with more than one person at a time.
- Keeping television volumes at a level many others tell you is way too high.
- Having difficulties hearing at theaters or lecture halls because of background noises.

Since hearing problems usually increase with time, most people do not seek assistance until their symptoms have become quite noticeable.

Physicians specializing in ear, nose and throat – *otolaryngologists* – investigate possible causes and treatment options, but seldom find total cures. Instead, they refer patients to audiologists

see *Hearing* on page 12

There are seven CTAP call centers in California. To find one near you, or to download your application for free or low-cost telecommunications devices and services, visit the Hearing Loss Association of California website at [hearinglossca.org/html/telephone.htm](http://hearinglossca.org/html/telephone.htm).

*H.E.L.P. provides information and referrals on valuable community services addressing elder care, law, finances and consumer protection. Listed below are some of those agencies you might find useful. Of course, we are always available to help if you have a problem or need information. You can call H.E.L.P. at 310-533-1996 or e-mail us through our website: [help4srs.org](http://help4srs.org).*

<b>Elder Care</b>	<b>Phone Numbers</b>	<b>Web Addresses</b>
L.A. County Consumer Affairs (Consumer protection/complaints)	800-593-8222	dca.lacounty.gov
Adult Protective Services (Elder abuse)	877-477-3646	css.lacounty.gov/aps
Alzheimer's Association, Southland Chapter Area Agency on Aging (Information and assistance)	800-272-3900 800-510-2020	alz.org/californiasouthland aging.ca.gov
Center for Health Care Rights/HICAP (Medicare and Insurance Counseling)	800-824-0780	cahealthadvocates.org/hicap
Home Ownership Preservation Foundation (Foreclosure assistance)	888-995-4673	995hope.org
In Home Supportive Services	866-512-2856	ladpss.org/dpss/ihss
Long Term Care Ombudsman (Mediation for those living in licensed facilities in L.A. County)	800-334-9473	wiseandhealthyaging.org
Social Security	800-772-1213	ssa.gov
California Association of Adult Day Services (Adult day care answers)	916-552-7400	caads.org
Los Angeles Caregiver Resource Center (For caregivers of adults with brain impairment)	800-540-4442	lacrc.usc.edu
National Hospice and Palliative Care Organization (Empowering people to make end-of-life choices)	800-658-8898	nhpco.org
<b>Legal</b>		
Bet Tzedek Legal Services (Provides free legal services for seniors in LA County)	323-939-0506	bettzedek.org
California Advocates for Nursing Home Reform (Advocacy and lawyer referral)	800-474-1116	canhr.org
Dispute Resolution Service-L.A. County Bar (Accessible conflict resolution services)	213-896-6533	lacba.org
<b>South Bay Resources</b>		
Beach Cities Health District (Provides support services)	310-374-3426	bchd.org
Focal Point on Aging (Information and referral service)	310-320-1300	torrnet.com/parks/6649.htm
Redondo Beach Senior and Family Services (Programs to promote health)	310-318-0650	redondo.org
South Bay Senior Services (Health-related and case management services)	310-325-2141	bhs-inc.org/sbss.html

## Short-Term Medicare Coverage for Long-Term Care Needs

Many older adults think Medicare will cover most of their future care needs. They are often surprised to learn that Medicare's coverage for skilled nursing home care is limited. Specific rules determine if and when such coverage will start, continue and definitely end.

Medicare limits coverage for nursing home care to *post-hospital extended care*. This means that after the insured patient was hospitalized for at least three consecutive days, the treating physician confirmed the need for continued professional care in a skilled nursing facility.

To receive continued coverage, the patient must be admitted to the facility

within 30 days of being discharged from the hospital. In 2010, Medicare may provide full coverage for days 1 through 20. For days 21 through 100 the patient will need to pay a daily co-payment of \$137. Medicare coverage for specific post-hospital extended care services may never extend beyond 100 days.

Unfortunately, a particular patient's right to receive extended care coverage is seldom clear-cut. In fact, Medicare will only cover skilled nursing home care if it defines the provided services as being *medically necessary* to improve or prevent deterioration of the patient's existing health status.

see *Medicare* on page 8

For assistance in appealing a Medicare denial of coverage for skilled nursing or other healthcare, contact the Center for Health Care Rights at 800-824-0780.

## Choosing the Right Financial Planner

Many people look for assistance with financial goals. When hiring advisors, know exactly what services you need, what services advisors can deliver, and limitations or biases that might influence their recommendations.

The U.S. Securities and Exchange Commission tells consumers to beware: *Anyone can claim to be a financial planning expert.* Only a select few have credentials reflecting formal education, training, and professional acceptance. Most often cited are:

- **Certified Financial Planner:** For CFP certification, candidates must have at least three years of planning experience and college or university degrees that include a CFP-board-approved financial planning curriculum. They must also pass the 10-hour CFP certification exam

that covers the financial planning process, tax planning, employee benefits and retirement planning, estate planning, investment management and insurance.

- **Personal Financial Specialist:** The PFS credential is awarded only to **American Institute of Certified Public Accountants** members who have completed at least 80 hours of personal financial planning and successfully passed the PFS exam.
- **Chartered Life Underwriter and Chartered Financial Consultant:** Both the CLU and ChFC designations - sponsored by **The American College of Bryn Mawr College** - require three years of business experience. The

see *Plan Ahead* on page 14



## Dementia?

*Continued from page 3*

**Low-Blood Sodium:** Age-related causes of low-blood sodium or *hyponatremia* occur when the older adult's blood stream has either too little salt or too much water. Resulting symptoms may include confusion, fatigue, irritability and problems falling asleep.

**Vitamin B12 Deficiency:** Vitamin B12 exists in eggs, dairy products, meat, fish and poultry, but many older adults lose the ability to absorb it fully enough. **The National Heart Lung and Blood Institute** warns that severe Vitamin B12 deficiency can cause confusion, depression, and severe memory loss.

**Pneumonia:** Recognized symptoms of pneumonia include a severe mucus-filled cough accompanied by a high

fever. However, many older adults who have pneumonia do not experience either of these symptoms but inexplicably appear to be very confused.

**Medication:** With the normal aging process, the liver becomes less efficient at metabolizing drugs, and kidneys fail to eliminate drugs that have not been absorbed. Should multiple drugs interact, older adults often develop severe memory problems. Symptoms include forgetting recent incidents and familiar surroundings, and displaying rapid changes in behaviors and moods.

**Alcohol Abuse:** According to the National Institute of Aging, older adults who continue to abuse alcohol over a long period of time may experience symptoms

of forgetfulness, confusion and even hallucinations that, without proper blood testing, may be misdiagnosed.

Dr. Jack Freinhar, medical director of the Passages Intensive Outpatient Geriatric Program at St. Mary's Hospital in Long Beach, reports that up to 30 percent of all diagnosed "dementias" may be treatable. To obtain a proper diagnosis, the physician must not only conduct a physical examination, but must review the patient's medical history, perform proper lab tests and brain imaging, and – sometimes most importantly – speak with the patient's close family members and friends about their particular observations and chief concerns. ❖

## Hearing

*Continued from page 3*

with a goal of identifying suitable hearing aids.

Hearing aids do not serve as full replacements for the human ear, but attempt to monitor spoken words and reduce interfering background sounds. For hearing impaired people who have difficulties communicating with a standard telephone, the **California Telephone Access Program** provides free or low-cost telecommunications equipment and services:

- **CapTel or captioned telephones.** A small screen attached to the CapTel

telephone connects with a *captioning service* that transfers spoken words to voice recognition software. The written text of what was actually spoken but might not have been heard is immediately displayed on the telephone screen.

- **Amplified telephones.** An average telephone provides 10-12 decibels – the units used to express sound intensity and pressure levels. Specially amplified phones can be programmed to ring as loud as 60 decibels.

- **Assistive listening devices.** ALDs provide hearing-impaired people with earphones connected electronically to hand-held microphones or expanded sound systems. They are becoming more accessible at public auditoriums, movie theatres, and meeting places.
- **Home-placed electronic alerts.** Telephones, doorbells, smoke detectors and alarm clocks may be connected to one or more lamps that

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*see Innovative Tools on page 7*

**H.E.L.P. Classes:  
Life Planning Classes**

Concerned about choice options for seniors and their families? Our popular classes cover powers of attorney for healthcare and financial matters, wills and living trusts, probate and avoiding it, consumer protection and long term care. For Reservations to any of our classes, call **310-533-1996**.



*Other upcoming classes:  
Staying In Charge*

- *Sunrise Plaza Vista,  
Nov. 11, 2010  
?  
?*
- *Santa Monica Public  
Library  
Nov. 18, 2010  
?  
601 Santa Monica  
Blvd., Santa Monica*

*For more information  
about these classes,  
information about other  
upcoming classes, or to  
arrange a class for your  
group of 25 or more call  
**310-533-1996**  
or check our website at  
[help4srs.org/class](http://help4srs.org/class).*

**Providence Little Company of Mary Hospital**  
3:00 p.m. to 5:00 p.m.  
4101 Torrance Blvd., Torrance, CA

September

Elder Care and Residential Choices . . . . . Thursday, 2<sup>nd</sup>  
Long Term Care insurance: Pros and Cons . . . . . Thursday, 9<sup>th</sup>  
Medi-Cal for Nursing Home Care . . . . . Thursday, 16<sup>th</sup>

**Manhattan Beach Joslyn Senior Center**  
10:00 a.m. to 11:15 a.m.  
1601 N. Valley Drive, Manhattan Beach, CA

September

Wills, Probate and Probate-Avoiders . . . . . Tuesday, 28<sup>th</sup>

October

Trusts and Taxes . . . . . Tuesday, 5<sup>th</sup>  
Elder Care and Residential Choices . . . . . Tuesday, 12<sup>th</sup>  
Long-Term Care Insurance: Pros and Cons . . . . . Tuesday, 19<sup>th</sup>  
Medi-Cal for Nursing Home Care . . . . . Tuesday, 26<sup>th</sup>

November

Safe and Independent at Home . . . . . Tuesday, 2<sup>nd</sup>

**Covenant Presbyterian Church**  
10:30 a.m. to 12:00 p.m.  
6323 West 80th Street, Los Angeles, CA

October

Aging Preparedness Kit . . . . . 1:30 - 2:30 p.m., Thursday, 14<sup>th</sup>  
Caregiving Stages and Options . . . . . 2:30 - 3:30 p.m., Thursday, 14<sup>th</sup>

**Innovative Tools**  
*Continued from page 6*

- project flash signals that certain sounds are occurring.
- **Wireless television amplifiers.** These transmit stereo sounds from televisions to wireless headsets and are compatible with TVs, stereos, and MP players. The lightweight headset-receivers look like common earphones and have adjustable volume. Even when the volume is significantly increased, only the headset's wearer can hear the amplified sounds. ❖

## Medicare

*Continued from page 5*

Medicare's approval of continued coverage is often inappropriately revoked when a determination is made that the patient's condition has "plateaued" and will not improve. Such a response is clearly incorrect. Federal statutes and regulations specifically provide that Medicare's coverage for skilled nursing home care may not

terminate within 100 days if the cessation of care might negatively impact the patient's health and well-being.

Perhaps the most important fact to remember is that Medicare's authorization for 100 days of nursing care coverage cannot be extended. Should the patient remain in need of skilled

nursing home care, Medicare will not provide financial support. Instead, the patient will be responsible for all future costs. It is for this reason that many patients end up relying on such financial options as long-term care insurance, Veterans Aid & Attendance, and Medi-Cal coverage for nursing home care. ❖

## Plan Ahead

*Continued from page 5*

CLU involves a six-course curriculum, with exams after each one, while the ChFC - an advanced financial planning designation - requires those same six courses, plus three more. Most advisors with these credentials obtain licenses to sell insurances and annuities.

- **Master of Business**

**Administration:** In recent years, a few MBA programs have included a financial-planning track.

- **Certified Public Accountant:**

CPAs are licensed to practice public accounting by the **California Board of Accountancy**. License requirements include completing a program of accounting studies at a college or university, passing the *Uniform CPA Exam*, and obtaining a specified amount of professional

work experience in public accounting.

Not all financial advisors have the extensive experience and training of those listed above. In fact, new titles that primarily target older adults spring up each year. Some require minor training; others none at all.

The way financial advisors get paid may influence the suggestions you actually receive. Different financial compensation arrangements include:

- **Commission:** Many financial advisors receive compensation by selling investment products, insurance, and annuities. The question to ask: Are your advisor's recommendations influenced by high-commission products?
- **Assets Under Management:** If investments continue to be managed by a financial planner, the annual fee will be a percentage of the total

investment. So, if the fee is 1 percent of managed assets and \$200,000 has been invested, the planner will be entitled to receive \$2,000 each year.

- **Fee-Only:** Fee-only financial planners do not accept commissions, but charge set amounts to gather clients' financial data, analyze the numbers, and recommend plans of action.

H.E.L.P.'s *Ask First!* form assists consumers in evaluating the qualifications of financial planners or other advisors. Review the answers they have provided, check the licenses and other credentials, and investigate past complaints and sanctions by contacting the **California Department of Corporations** at [corp.ca.gov](http://corp.ca.gov), and in the search box type in "Investment Check Out." ❖

# H.E.L.P.'s New and Improved Website is Finally Here!

As they say in the marketing world: It's *New and Improved!*

We've renovated and redesigned our website to better serve you.

The new site includes more powerful content with user-friendly navigation, great new graphics and a current calendar section. A number of improvements integrate tools and information into our new website.

Take a look around. Using our new Menu Bar appears at the top of the page:

- Click **Healthcare** for current information on *Careplanning Tools, My Health and Taking Charge.*
- Click **Legal** for information on *Staying in Charge, Legal Protections and Government Benefits.*
- Click **Financial** for *Planning Tools, Consumer Protection and Other Support Tools.*
- Click **Forms and Tools** to download and print important **Legal Forms**

like *H.E.L.P.'s Advanced Health Care Directives and Funeral and Burial Instructions*; and **Informative Tools** like *H.E.L.P.'s Ask First! Questionnaire and Homecare Toolkit.*

- Click **H.E.L.P. Classes** for a description of our classes and their dates, times and addresses, along with maps to get you there.
- Click **Blog** to see age-related questions answered by *Helen Dennis*, a nationally recognized expert on aging issues, and H.E.L.P.'s prior Board Chair.

## There's more!

- For information you're seeking, just type the words into the "**Search This Site**" box at the top right.
- To find ways to contact community and government organizations, scroll down the "**Find Resources Fast**" list that's near the top.
- Just click to download copies of past and current *H.E.L.P. is Here* magazines, or order our free *Your Way: A Guide to Help You Stay In Charge of Decisions About Your Medical Care.*

Click where it says: Join on our **Free Mailing List**, and you'll receive our future magazines and other mailings right online.

Click where it says: Join on our **Free Mailing List**, and you'll receive our future magazines and other mailings right online.

And if you'd like to assist us with financial support, thank you in advance for clicking the box that says **Support H.E.L.P.! Donate Now.** ❖

The screenshot shows the H.E.L.P. website interface. At the top left is the H.E.L.P. logo with the tagline 'Empowering seniors, their families and caregivers to make better choices.' To the right is a search bar. Below the logo is a navigation menu with links for Healthcare, Legal, Financial, Our Services, Forms & Tools, H.E.L.P. Classes, and Blog. A 'Find Resource Numbers Fast' section is visible. The main content area features a 'Class Schedule' calendar for the month of August, with the 17th highlighted. Below the calendar is a 'Full Calendar' link and a 'Order Your Way' button. A large banner on the left side says 'Welcome to the H.E.L.P. Website!' with a photo of an elderly woman. Below the banner, there is a section titled 'Affordable Care For Seniors' with text about the Affordable Care Act. At the bottom right, there is a red button that says 'Support H.E.L.P.! Donate Now'.

## Destination Women Boutique Supports H.E.L.P.!

This charming, whimsical "little boutique" located in the Hillside Village, Torrance, donates a portion of all purchases to a charity of the customer's choice. H.E.L.P. is one of the boutique's designated charities. This "fundraiser" boutique is staffed by volunteers and the merchandise is new and unique. Many items are one of a kind from accessories, paintings, antiques to fashion and so much more! Come and join us every Wednesday in August for free jewelry classes and on Thursdays for free cosmetic makeovers showing how to wear makeup as an accessory! Come and join us and donate to H.E.L.P.! Contact us at 310-375-6361 or [destinationwomen.com](http://destinationwomen.com).



H.E.L.P. thanks our generous donors and volunteers for their wonderful support. Due to space constraints we are only able to list our recent major donors in this issue.

**Support Levels**

- Up to \$99 – Big H.E.L.P.er
- \$100 to \$499 – Extra H.E.L.P.er
- \$500 to \$999 – Super H.E.L.P.er
- \$1,000 to \$2,499 – Partner
- \$2,500 to \$9,999 – Benefactor
- \$10,000 to \$24,999 – Colossal H.E.L.P.er
- \$25,000 to \$49,999 – Super Colossal H.E.L.P.er
- \$50,000 or more – Mega Super Colossal H.E.L.P.er

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Estate of Helen L. Goring

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and Sharon Ryan  
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# Une Partie Réussie!

Everyone was the life of the party at Vive La Fete on July 16. Nearly 160 supporters attended H.E.L.P.'s ninth annual Celebrate Summer event at the fabulous Palos Verdes Country Club and collectively donated over \$109,000.

Comical mimes and beautiful can-can girls greeted guests the moment they walked through the door. The cocktail reception was filled with French piano music performed by Barbara Wieland, elegant décor, delicious hors d'oeuvres and a fantastic silent auction. Guests strolled between the foyer and the patio to enjoy the summer air and incredible views of Palos Verdes while bidding on the beautifully displayed silent auction baskets. Upon entering the dining room, the party continued with themed tables, a French meal and great company.

The event honored Brigante, Cameron, Watters and Strong, LLP with the Vanguard Award, Carolin Keith Wade with the Inspiration Award, and H.E.L.P. Founders, Ed and Pat Long, with the Legacy Award.

The evening's live auction included a trip to Ireland, an in-home tasting by chef to the stars Christi Gordon, an original oil painting by artist Kiar Mesko, and a "Sweetheart" stay at Terranea. Master of Ceremonies Rod Burkley and auctioneer John Kunkle kept the audience entertained.

The night ended with the raffle drawing for the winner of a trip to Paris for six days and five nights, donated by Jimi K. Andersen and arranged by A-France Hotels.

Behind every great evening there are amazing volunteers. This year's Celebrate Summer was made possible by H.E.L.P.'s event committee – Jimi Andersen, Mary Cilva, Deborah Deitch, Lisa Martinez, Lynne Neuman, Julia Parton, Sharon Ryan and Ann Wittels – as well as all the volunteers who gathered auction items and assisted the night of the event.

It was an extraordinary evening of entertainment all to raise funds to support H.E.L.P.'s mission. Save the date – July 15, 2011 – for next year's Celebrate Summer event. It's a party you won't want to miss. ❖



## *Generous sponsors of Vive La Fete included:*

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Remember to return your Census 2010 questionnaire! You may be wondering... Does it really matter if I...

*The H.E.L.P. Staff and Board of Directors would like to dedicate this magazine to Eleanor Barkelew. You will be missed by many.*

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