

## COVID 19 INFORMATION SHEET

The COVID 19 pandemic has affected every area of life but for families of loved ones with developmental disabilities it impacts them in different ways. The purpose of this sheet is to provide pertinent information on the unique impact that this pandemic has on your loved ones with developmental disabilities.

### Guardianship

A guardian's decision-making duties continue and are more important than ever during this time. Information for Guardians to remember during this time:

- Remote Decision-Making. Be prepared for long-distance or remote decision-making. Keep your Letter of Guardianship close and in digital format so it can be quickly emailed or electronically sent to medical providers if necessary.
- Visitation: Guardians are required to have regular visitation with the persons they serve. The requirements to have in-person visitation is not applicable at this time. Moreover, if the individual lives in an ICF or long-term care facility then it is likely that the guardian will not be permitted to visit during this time. Guardians should not try to force visitation at this time.
- Filing Deadline Requirements: The filing deadlines for guardian reports, annual plans, statements of expert evaluation and other court filings remains in place but the court has been liberally granting extensions upon request. The Courts will still accept your filing via mail but blanket extensions on such filings have been granted.

### Health Care Power of Attorney

Some individuals assist their loved ones by serving as an agent under a health care power of attorney. In this situation, the duties are similar as those set forth above. Be prepared for virtual or remote decision-making. Like a guardian, visitation should not be forced or attempted if it violates a facility or provider's policy prohibiting visitation during this pandemic.

### Benefits

Although services will be offered in different ways and some programming even suspended, no person should receive or experience a long-term reduction in benefits as a result of the COVID-19.

**Resch, Root, Philipps & Graham, LLC is a law firm that serves clients in the areas of special needs planning, estate planning, guardianship and developmental disability law.**