

[TRACK 6: SURVIVOR STORIES: GETTING YOUR HOUSE IN ORDER]

Section 5: Getting Your House in Order

[Narrator]

Kathy is a 42-year-old woman. She recently completed treatment for colorectal cancer that included surgery and chemotherapy. She now has to return to her treatment center for follow-up every 3 months. Listen to her new experiences in cancer survivorship.

[Kathy]

Having cancer started me looking at life in a whole new way. Before cancer, I didn't really think about the possibility of dying. I'm young, and things like that just don't happen to someone like me. Oh, I didn't think I would live forever. But I sure did think I had plenty of time to take care of my will and other things like that. My husband and I would always say, "Yeah, we need to do that," but put it off another day.

[Narrator]

The change Kathy is describing is very common among cancer survivors and people who have experienced a life-threatening event. Kathy now wants to "get her house in order."

[Kathy]

I have three small children, a husband, elderly parents. They all depend on me. I work outside the home to help support our household. My husband and I want to see our children go to college and have some of the things in life that we didn't have. I don't want my family to suffer if something happens to me. My cancer diagnosis and treatment made this very clear to me.

[Kathy]

My husband and I realized that we needed information about what we had to do. The cancer center where I received my treatment had a series of workshops on estate planning. Some of the topics they covered were advance health directives, making a will, power of attorney, financial planning, and life insurance. We went to a few of the workshops and got a lot of good information that helped us start our planning. Now that we've started to take care of a lot of these things, I have a sense of freedom...that my family will be taken care of even if I'm not here. This really took a load off my mind. I can relax a little more now.

[Narrator]

Kathy and her husband realized that they needed to plan for their personal futures now that they've taken care of their financial future. They learned that one way to plan for your personal future is through the use of advance health directives.

[Narrator]

Advance health directives are legal documents that you sign to instruct your family and doctors about what your choices for future medical care would be in situations where you would not be able to speak for yourself. One of the most important choices is about stopping—or not even starting—life-saving or life-sustaining treatments in the event of a health crisis. Every state has laws recognizing advance health directives. The two most recognized types of advance health directives are a durable power of attorney for healthcare and a living will.

[Narrator]

The durable power of attorney for healthcare lets you name someone who knows your wishes and can speak for you if you become unable to do so. In this situation, this person becomes your “agent” and will have the legal right to make health-care decisions for you. Your agent can be any adult, like a family member or a close friend. He or she does not have to be a lawyer. You may write down in the durable power of attorney the types of medical care you would wish to have. The more specific you are, the more likely you will receive the care you want. You can get a form for an advance health directive in many places, like the treatment center you have been going to, bookstores, or on the Internet. Power of attorney is a document to authorize someone to make financial decisions for you. This is similar to the durable power of attorney we just discussed. When you give a power of attorney to someone, you permit that person to manage your finances. You should talk with a lawyer for help in preparing the documents that will best express your wishes in regards to your financial matters.

[Narrator]

A second form of advance health directive, a living will, is a statement that tells your physician and family that you do not want your life prolonged by medical procedures if you are near death without any chance for recovery. Living wills are not considered as effective as a durable power of attorney. That’s because a piece of paper is less able than an agent to serve as your advocate and ensure that your wishes are carried out.

[Narrator]

A will is a written document that spells out your wishes for taking care of your responsibilities after you die. For example, a will usually explains how you would like your property to be distributed. It also names a legal guardian, the person you want to take care of your children who are still minors, and names an executor, the person who sees that the instructions in your will are followed.

[Narrator]

Each state has laws that list the requirements that a will must meet in order to be valid. It is important that you know what these requirements are. A lawyer can be very helpful in this. If you feel that you cannot afford a lawyer, many states have legal aid agencies that can help answer your questions. Your cancer center or hospital social worker can help you contact a legal aid society. Or, you may be able to talk with someone at your local community center about this.

[Narrator]

A will can distribute money you plan to leave for your heirs in the form of a trust. A trust is a financial relationship in which one party holds title to property for the benefit of another party. There are many

kinds of trusts depending upon the goals and purposes to be accomplished. Trusts may legally protect your assets, but they can be very complex. You should talk with a lawyer to help determine if a trust is best for you and to draw up a trust if you decide to do that.

[Narrator]

Kathy and her husband also had to take care of some other financial issues during Kathy's treatment phase.

[Kathy]

I was very sick for awhile. So sick that I had to stop working. I took a medical leave from work. At first, I took all of my sick time and vacation time. After that, I was able to go on disability. My husband had to take about 3 months off from his job to take care of me and our children. He was able to get that much time off because of what is called the Family and Medical Leave Act. This Act means that your job is safe while you're off from work because of emergency reasons. But, you don't get paid. Money got very tight for us. We used to rely on my income to pay for private schools for our kids and to help with care for my elderly parents. But now, we needed help. The social worker at my cancer center told us about some possible sources of extra money for us. We talked with a financial counselor for additional advice.

[Kathy]

The financial counselor suggested that we look at some other options. She said we could use our life insurance plan to get some money to pay for expenses during treatment. She also told us about companies called "viaticals" that will either buy your life insurance policy from you and give you money right away, or base a loan on your life insurance policy. We met with people from a couple of these companies so we would have a better idea of what they offer and what it would cost.

[Kathy]

I also had a small life insurance policy that we could use to tide us over during this really tough time. We found out that, because of the Americans with Disabilities Act passed in 1990, we could not be denied a loan or other financial service just because of my cancer history. This meant that we didn't have to worry about being able to apply for a loan while I was sick. This all may seem like a lot to think about. But, knowing that we had some options to choose from and that we could pick the ones that were best for us made me feel a lot more secure.

[Narrator]

For more information about financial concerns, you can listen to the "Finding Ways to Pay for Care" program in the *Cancer Survival Toolbox*. Let's hear from another survivor whose cancer diagnosis created a career challenge for her. Mary is 32 years old and has completed treatment for cancer that included surgery, radiation, and chemotherapy. Unlike Kathy, Mary does not have a spouse, children, or elderly parents to worry about. But, she is facing major career issues that may affect her happiness and financial future.

[Mary]

When I was first diagnosed with cancer, I had been thinking about a major career change. I am a graphic designer at a big design firm. I kind of fell into this line of work and found that I really love it ...and am good at it. I was getting ready to make the decision to leave the firm, go back to school, and then start my own graphic design business. Everything was falling right into place for me. But, with my cancer diagnosis, everything stopped. At the time, I thought that I would just be putting things on hold. But now, I just don't know.

[Mary]

I found out that, with my diagnosis, it's not easy to change health insurance. Private insurance is either nearly impossible to get or it's so expensive that I couldn't afford to pay for the insurance while I took time off from working to go back to school. Even just trying to change jobs might be real hard to do now. Once they hear that you've been off from work with cancer, employers may wonder whether you'll be able to stay on the job after they hire you. I know I'm lucky just to have a job, especially one that I really enjoy. But, I can't help feeling locked in and frustrated that I may have a hard time getting on with my career.

[Narrator]

Mary was able to get help through an organization called the National Coalition for Cancer Survivorship. This organization provided her with valuable information on how to avoid discrimination based on a cancer diagnosis. Some of the tips included: Ask a job counselor for help with résumé preparation and job interviewing skills; Apply only for jobs that you are able to do; If possible, look for jobs with state or local governments or large employers; Keep your legal rights in mind; Do not lie on a job or insurance application; When interviewing for a job, do not volunteer the information that you have or have had cancer unless it directly affects your qualifications for a job; During a job interview, do not ask about health insurance until after you have been given a job offer; If you have to explain a long period of unemployment during cancer treatment, explain it in a way that shows your illness is past, if possible, and that you are in good health and are expected to remain healthy; Keep the focus on your current ability to do the job in question. Other tips are available in the free booklet called *Working It Out: Your Employment Rights as a Cancer Survivor*. More information is also available in the *Cancer Survival Toolbox Resource Booklet*.

[Narrator]

Cancer survivors today have new state and federal laws that require employers to treat survivors based on their individual abilities and not on their cancer history. Survivors should be aware of their legal rights and be willing to advocate for fairness in the work place. Having looked at all her options, Mary has returned to school. She was able to get some insurance through a school program and through the state's cancer insurance program. She feels that she has the information and tools to go out into the work place after her schooling. And, she knows how to avoid discrimination and hopefully live out her career dreams that will provide her with many years of fulfillment.