

## Message from the Chair



Judith D. Grimaldi

### Dear Colleagues:

The Elder Law and Special Needs Section had a busy season. The Section held its Fall Meeting in early October organized by the able team of **Mary Fern Breheny** and **Moriah Adamo**, which covered some thought-provoking topics on the new economics of aging. The meeting was well attended and

set the stage for innovation and creativity in addressing the needs of our elder law and special needs clients.

Later in October the Section spearheaded a housing symposium featuring the one of the founders of the famed “Dementia Village” in the Netherlands, **Eloy van Hal**, who provided an interactive presentation on this unique residence for individuals with dementia. The program was sponsored by NYSBA’s Elder Law and Special Needs Section, New York NAELA and the Association of the Bar of the City of New York (ABCNY), and was attended by 120 attorneys from these three bar associations as well as aging advocates, housing administrators and health care providers.

The village is funded as a regular nursing home by the Dutch medical system ... but that is where the term “regular” ends. The village, De Hogeweyk, located in Weesp, Netherlands, outside of Amsterdam, houses over 200 residents who live in cluster homes of seven residents and two care workers. The residents are grouped by lifestyle choices and the interiors are furnished to reflect the designated style. The lifestyle theme is carried out in the music and activities of the household as well as the food served. For example, the “city” folks’ home is furnished formally with fine china, tablecloths, and formal meals are served with classical music playing in the background. The home with former “farmer” residents who lead a more rural life will be decorated more casually with vinyl table coverings, folk and handcrafted decorations, hearty meals, outdoor activities and Dutch folk music playing. The cosmopolitan house will have an art focus and information about travel and lectures will be stocked on the bookshelf with more avant-garde

décor used and more adventuresome international foods on the menu. This concept allows the residents to feel comfortable in their surroundings and they are likely to be paired with people of like interests. The residents are encouraged to self-care as much as they can and help with the household chores and maintenance as they are able. One resident sweeps the entire village every day. The residents plan and choose their daily meals with the care workers and a small group is designated to shop for the meal ingredients at the village store. The village has a bakery area, a restaurant, a movie theater, a café and a music room. De Hogeweyk features inviting outdoor space, including an outdoor courtyard with a fountain for sitting in the sun and a small pastoral park area with a pond. Residents are encouraged to be outside and to walk independently to their clubs and activities. Assistance is available for those with wheelchairs or walkers. Having visited the village in 2015, I can attest that on a brisk November day the outdoor area was filled with people walking about and enjoying the fresh air. Mr. van Hal provided great detail about the village structure and philosophy and the financing. He encouraged us to work together to develop this alternative in our state.

Mr. Van Hal’s presentation was followed by a panel discussion led by Mr. van Hal, me and aging and housing experts who explored translating this Hogeweyk concept into a New York reality. The panel consisted of an elder designer, an activist, a senior housing developer and a dementia specialist from a large assisted living company. The audience peppered the panelists with challenging questions on the possibility of making this type of housing happen in New York. We realized this would take a dedicated commitment to move this goal along. As a result we committed to form a task force to explore these housing options in our state. The Section’s Housing Committee has been tasked to get this group together. If anyone is interested in joining this effort or wants to know more about the De Hogeweyk concept and our ongoing efforts, please contact me at [jgrimaldi@gylawny.com](mailto:jgrimaldi@gylawny.com). Attorney and aging advocates are welcome to join and several of our panelists have agreed to continue to work with us on this issue. Look for an announcement of our meetings on the ELSN list serve.

I would like to thank all those who helped me make the housing symposium such a success. First and foremost a special thank you to my partner representing The City Bar in this effort, Britt Burner, the current Chair of

*...continued on page 4*

...continued from page 2

the New York City Bar's Committee on the Legal Problems of the Elderly. Also thank you to Ron Fatoullah, the current Chair of the New York NAELA, who supported our efforts as a program sponsor. A thank you also to New Jersey Bar Association's Jerry Rothkoff, who helped secure Mr. van Hal's attendance and shared the costs.

I look forward to seeing you all at the Annual Meeting in January 2019. Please spread the word about our Section and help us encourage new membership by introducing them to our committee work. One example is the Legislation Committee, which is gearing up for their ongoing good work on the Power of Attorney's proposed revisions. The NYSBA's Executive Committee voted this proposed legislation as the 2018-19 legislative priority. As a companion to this effort, the Elder Abuse Committee has proposed a new banking law to address potential financial abuse while balancing individual rights. The Special Needs Planning Committee produced a public

series in Nassau County. The Client and Consumer Issues Committee updated the consumer brochures on senior benefits, and in preparing outreach efforts on health care decision-making. The Mental Health Law Committee is working on a health care proxy form to be used in the mental health arena. Finally, the Task Force Challenges to Medicaid Planning Practice Area Committee will research and review the proliferation of non-attorney Medicaid planning services and advocate for consumer education and protection in this area.

If you are interested in joining a committee please visit the NYSBA website and click on Our ELSN Section and join the committees of your choice, or contact our NYSBA liaison, Lisa Bataille at [lbataille@NYSBA.org](mailto:lbataille@NYSBA.org), to learn how to join a committee.

We welcome all new members. You can help us expand our mission.

Judith D. Grimaldi

## Thank you for being a NYSBA and Elder Law and Special Needs Section member!



Renew your memberships for 2019 by visiting [www.nysba.org/renew](http://www.nysba.org/renew) or calling the Member Resource Center at 800-582-2452.

Have you considered also joining the **Trusts and Estates Law Section** at only \$40 per year? Network with knowledgeable lawyers in your field and continually learn important issues most pressing in your area of practice. Let us know when you renew!

Don't let your NYSBA membership lapse, enroll in Automatic Renewal.



NEW YORK STATE  
BAR ASSOCIATION