

This is a section from the Pennsylvania guide for senior citizens about various matters, including Guardianships and Hospice.

Cleary, the people, including the 2 corrupt judges and the rest of the guardian mafia never cared about what was best for Mother and never followed those rules and guidelines in Mother's scam ownership for her 3 years under their control. The mafia never followed the federal and state laws pertaining to a person claimed to be incapacitated and the rules for the treatment and the rights of the claimed incapacitated.

"Guardian" pam blumer lied about her being "certified" as a guardian when she was hired in may 2022 and as of July 2026 still is not certified. In addition, the second guardian of estate, Fenstermacher never was certified, along with the last guardian of person Ellis. Ellis was picked by jaskowiak, as was pam and bill Blumer, logie, "care manager" klock and also fenstermacher.

Who picked quack psychologist Ledakis, who did his "evaluation" of Mother, is not known. Ledakis, as of July 2026, still is not a member of the Pennsylvania psychological association or the American psychological association. Ledakis was constantly picked by the mafia/judges for any matters pertaining to Mother only because he would say what the mafia wanted him to say against me. The mafia ignored the fact on Day 1 of the petition hearing in late July 2021 when I got ledakis to admit he had no independent proof of accuracy for any of the "tests" he claimed he gave to mother in private and no independent proof of accuracy for his final "evaluation" of Mother and he also admitted he never audio or videotaped either of his 2, 1 hour "sessions" he had with Mother.

In addition, the petition for guardianship by ex-sister jsh and her shister lawyer camp, who wrote the petition never had one example of Mother needing any guardian of person or estate and NO professional person (doctors, CPA, investment firm, house keeper, hair dresser of 16 years) was ever brought into court to claim Mother had a problem and needed a guardian.

NEVER did anyone in the mafia or anyone else (including ledakis) claim Mother had any mental or behavior problems. Period. So WHY did the mafia keep her locked in solitary confinement, in a sensory deprived environment, with women and men with mental and behavior problems (all on medication), with massive restrictions on Mother, including restricting and denying her and me normal time together, for the entire 3 years until she was killed/died on July 2 2024?

patient's surrogate, whoever requested the Order. The patient can revoke this Order without regard to their physical or mental condition.

If this is something that is appropriate for you or someone under your care, you should discuss this with the attending physician.

Chapter 11

Palliative Care and Hospice

Palliative Care focuses on relief from physical suffering. It is designed for persons being treated for a disease or living with a chronic disease, who may or may not be terminally ill.

Palliative care addresses the person's physical, mental, social, and spiritual well-being. It is appropriate for persons in all disease stages. It can be utilized from diagnosis through cure. Life-prolonging medications and treatments can be used. It is usually offered where a person initially sought treatment and coverage would be through the person's health insurance.

Hospice utilizes palliative care but is limited to persons who are terminally ill. The main focus of hospice is on making the person comfortable and preparing the person and their family for the end of life; the focus is not on a cure. Hospice is appropriate when it is determined that treatment for the terminal illness will not be pursued and life-prolonging medications or treatments will no longer be used.

Hospice care is multi-disciplinary, including family caregivers and physicians, nurses, aides, social workers, clergy, counselors, pharmacists, physical or other therapists, and trained volunteers as appropriate to the situation. It includes maintenance medications and those which provide comfort and improve the quality of life, and necessary medical supplies and equipment. Hospice can be offered in a variety of settings, such as in a person's home, in a nursing home or other care facility, or occasionally in a hospital.

Hospice is covered by Medicare and Medicaid and most private insurers. Appropriateness must be determined and certified as required by the

health plan. Hospice can be stopped at any time and restarted when the person is recertified. There are different levels of hospice care depending on what is needed.

Hospice provides care related to a terminal condition and to conditions related to the terminal condition. The hospice provider can provide a list of items, services, and medications that are not related to the terminal condition, including the reasons for such determination. Treatment of an acute illness or injury unrelated to the terminal illness can be provided, but that may not be covered under the hospice benefit. The hospice provider should be consulted to help determine insurance coverage for treatments for health problems unrelated to the terminal illness and, once covered under hospice, before pursuing any changes in care.

Chapter 12

Guardianships

Sometimes dementia or other progressive (or existing) mental, emotional, or physical illness renders a person incapable of making reasoned decisions regarding their personal and financial well-being. Individuals can suffer harm from lack of personal care due to poor decision making or become victims to scammers or others with bad intentions.

When this happens, Pennsylvania law allows anyone interested in the welfare of that person to petition the local Orphans' Court to appoint a guardian of the person (for making health care decisions, living arrangements, and other personal decisions) and/or a guardian of the estate (for financial matters). The person filing the petition must propose a guardian.

Pennsylvania provides a list of individuals to serve as guardian in order of eligibility. The individual most eligible to serve is any other guardian already appointed, then the spouse of the individual, then the child, and so on until we reach the catch all of "other qualified proposed guardian." The proposed guardian needs to satisfactorily complete a Pennsylvania Criminal Background Check to be appointed and may also be required to post a bond in order to serve depending on the value of assets owned by the alleged incapacitated person. Whoever serves should also understand the duties of a guardian,

be able to fulfill these duties, and agree to act as guardian. Guardianship agencies exist for this purpose. There is no public guardian service in Delaware County at this time but there are private guardian agencies.

Because a ruling of "incapacity" and appointment of a guardian curtails many important legal rights, high standards must be met. A guardian can be appointed only if the court finds by clear and convincing evidence that the "alleged incapacitated person" is impaired to such an extent that he is partially or totally unable to meet essential requirements for his physical health and safety or to manage his financial resources, and, due to a lack of adequate support, needs a guardian. "Incapacity" for guardianship is an impairment of decision-making ability; a person may be physically limited but not be incapacitated because they are able to make decisions regarding their care. Just because a person has periods of confusion, this does not necessarily mean that they will be found to be incapacitated under the law. The most common way to establish incapacity is to have a healthcare professional, who is familiar with the alleged incapacitated person, evaluate him or her and complete an Expert Report in which the professional renders an opinion as to capacity. The Expert Report was created by the Commonwealth of Pennsylvania and is the only permissible written proof of capacity without testimony. The Expert Report form is available on the Delaware County Orphans' Court website.

Notice of the filing of a guardianship petition must be given to the alleged incapacitated person and to his next of kin.

A guardian may be appointed for a short time on an emergency basis, where decisions about the welfare of the alleged incapacitated person must be made quickly to prevent harm. When needed for long-term incapacity, a guardian may be appointed on a permanent basis. An emergency petition for guardianship **MUST** be followed up with a petition for permanent guardianship.

Hearing Before the Court

After the petition is filed, a hearing is scheduled before the Orphans' Court of the county in which

the alleged incapacitated person resides and the person is required to attend unless excused. The person may only be excused if a health care professional concludes that it would be harmful for him or her to attend the hearing. "Harmful" in this context does not mean confusing or upsetting but, rather, means actual harm to the person's mental or physical condition.

The alleged incapacitated person may hire an attorney or request that the court appoint an attorney for the person. The attorney's fees will be paid by the Commonwealth if the person cannot afford to pay the fees. The court may also appoint an attorney in appropriate cases, with fees paid by the Commonwealth if the alleged incapacitated person is unable to pay. This may occur when there is family conflict or other questions are raised. An attorney for the alleged incapacitated person is not required unless ordered by the court.

When testimony by a person qualified to perform an evaluation of capacity, such as a psychiatrist, establishes by clear and convincing evidence that the person is incapacitated, and it is shown that the person needs a guardian due to a lack of an adequate support system, a guardian will be appointed.

The alleged incapacitated person may request an independent evaluation of his capacity, with evaluation fees paid by the Commonwealth, if he cannot afford to pay them. The court may also order an independent evaluation, with fees paid by the Commonwealth, if the alleged incapacitated person is unable to pay.

If incapacity and the need for a guardian are established, the court will issue a decree appointing a guardian of the person and/or estate with full (plenary) or limited powers and duties, as described in the decree.

Powers and Duties

Generally, it is the duty of the guardian to assert the rights and best interests of, and to respect the expressed wishes and preferences of, the incapacitated person to the greatest possible extent. The guardian should encourage the incapacitated person to participate in all decisions which affect him to the maximum extent of his abilities. Ensuring the best interests

of the incapacitated person may mean that the guardian ignores the wishes of that person if they are in conflict with the person's best interests. For example, an incapacitated person may want to continue to live in his home, but if the guardian determines that assisted living or skilled nursing care is necessary, the guardian is authorized to admit the person to a facility over the person's objections.

The powers and duties of the court appointed guardian may be limited, but often include the power and duty to make every kind of decision for the incapacitated person. However, a guardian cannot, without court approval, consent to admission to an inpatient psychiatric facility or a state center for the mentally retarded or consent to relinquishment of parental rights. Court approval is also needed to consent to abortion, sterilization, psychosurgery, electroconvulsive shock therapy (ECT), or removal of a healthy body organ, to prohibit marriage, to consent to divorce, or to consent to experimental procedures. When court approval is needed, the guardian must tell the court of any known objection of the incapacitated person, whether expressed before or after the guardian was appointed.

Typical decisions made by a guardian of the person include arranging for medical care and consenting to surgery or other treatments, determining where an incapacitated person is to live, and contracting for admission to nursing facilities. A guardian of the estate handles financial matters and has many of the same responsibilities as a person appointed to manage an estate for a deceased person, with specific requirements and limitations. Every guardian must file annual reports with the Orphans' Court, either on paper or online, detailing the past year's actions. Note: online reports are filed through the Guardianship Tracking System. More information can be found at <https://ujsportal.pacourts.us/Guardianship/Overview>

If, after the appointment of a guardian, a person regains their decision making capacity, or sufficient supports become available to provide for the person's care, a petition can be submitted to the court to review the continuing need for a guardianship and to modify the guardianship decree if appropriate. A review hearing can also

be requested by any interested person if a guardian is not fulfilling required duties.

A guardian's authority ceases upon the death of the incapacitated person. A guardian's final duty is to file a Final Report with the Orphans' Court. Matters such as final arrangements, payment of bills, distribution of assets, etc., are handled by the person appointed to act under estate law such as an executor named in a Will or an administrator of the estate under Pennsylvania law covering persons who die without a Will (intestacy law).

Making a power of attorney covering personal and financial decision-making may make guardianship proceedings unnecessary, and is less expensive and stressful than the court process. In fact, a petition for guardianship must indicate whether or not the alleged incapacitated person has ever executed a financial, health care or mental health power of attorney. Anyone can also name in advance a preferred guardian of the person or estate for consideration by the court in case a guardianship proceeding becomes necessary.

Chapter 13

Social Security

This chapter contains contact information for the Social Security Administration (the SSA) and a brief description of some of the programs and benefits available as well as general eligibility requirements. Some eligibility requirements are complicated and cannot be fully addressed in this Handbook. You are encouraged to contact the SSA or consult with a qualified attorney with respect to your eligibility for particular benefits.

ALERT: Generally, Social Security will only call you if you have asked for a call or if you have ongoing business with Social Security. If someone calls you and claims to be from Social Security, do not give them your Social Security number, your birth date or any other personal information, and do not send the caller any money using retail gift cards, wire transfers, pre-paid debit cards, internet currency, or mailing cash. Social Security will never threaten you for information or promise to give you a benefit in return for personal information or money. If you