
GLOSSARY

ANNUAL ACCOUNTING—A report that a guardian of the property files yearly with the Court. It lists all the assets and income of the disabled person for the last year, describes what the guardian did with the assets and income, and states how much the person’s estate is worth at the time of the report.

ADVANCE DIRECTIVE—A document or statement in which a person declares her wishes about future health care. In the advance directive, the person may state her wishes about health care, may appoint a health care agent to make decisions for her, or may do both. The directive goes into effect, unless it states otherwise, when two physicians certify in writing that the patient is unable to make an informed decision.

AGENT—a person who is appointed in a power of attorney or advance directive to act for the person appointing the agent.

ALLEGED DISABLED PERSON—the term used by the Maryland guardianship law for the person who is the subject of a guardianship case.

ALZHEIMER’S DISEASE—the most common type of dementia. A prominent symptom is memory loss, especially for recent events.

BOND—A kind of insurance policy which the guardian of the property is sometimes required to purchase and file with the court to guarantee that the person’s estate will be administered properly.

CASE MANAGER—A social worker or nurse who oversees and coordinates services to a person who needs assistance with activities of daily living and personal care.

CONTINUING CARE RETIREMENT COMMUNITIES—Housing available to seniors which provides both a place to live and assistance with medical needs based on a person’s ability to function alone. Residents sign long term contracts and pay substantial fees to live in this type of community.

DEMENTIA—a condition marked by progressive loss of intellectual functioning. Memory loss is the most obvious symptom. There are a variety of causes, the most common being Alzheimer’s Disease.

DIRECT DEPOSIT—a banking term meaning that a source of income, such as a pension or Social Security benefits, is electronically deposited in a person’s account without a paper check being sent through the mail.

EMERGENCY GUARDIANSHIP—a legal procedure in which the court can appoint a guardian, in a very short period of time, to remove a person from a situation which there is a substantial risk of death or serious bodily harm to the person or others.

FIDUCIARY—a person, corporation or agency entrusted to manage the finances of another person.

GERIATRIC EVALUATION—an examination by a team of professionals who specialize in problems of older persons. The team assesses the person’s ability to function independently and diagnoses problems. The team meets to discuss the patient and recommend a treatment plan and future care.

GUARDIAN—a person or agency appointed by a court to act for a person whom the court finds is incompetent.

GUARDIANSHIP—a legal procedure in which a court determines that a person is unable to act for herself and that she is in need of protection. The court appoints another person or agency to act for the person in matters relating to her person, her property, or both.

GUARDIAN OF THE PERSON—A person appointed to make decisions about a disabled person’s medical care, residence, food, clothing, shelter and other subjects which affect the person’s physical body.

GUARDIAN OF THE PROPERTY—A person appointed to make decisions about a disabled person’s assets, income, property and other financial matters.

HEALTH CARE AGENT—A person appointed in an advance directive or living will to make medical decisions for a person when that person cannot make them for herself.

HEALTH CARE POWER OF ATTORNEY—a type of advance directive which appoints an agent to act for the person writing the health care power of attorney.

HOME HEALTH AIDE—a nursing assistant or other specially trained person who provides services such as washing, bathing, and direct patient care to a person in her home.

INCOMPETENCY—limited or impaired mental ability to remember, to reason, to see the consequences of action, or to plan for the future.

INFORMED CONSENT—consent to treatment given to a health professional by a patient. For the consent to be informed, the patient must understand the nature, the dangers, and the possible side effects of the treatment. If a person is mentally incompetent, the doctor may obtain the consent from an agent or a surrogate decision maker.

INTERESTED PERSON—a spouse, family member, close friend, or agency paying benefits to a person who is the subject of a guardianship proceeding. Interested persons must be notified that a guardianship petition has been filed against the person.

INVENTORY—A list of all of the assets and income of the disabled person at the time a guardian of the property is appointed. The guardian of the property must file the inventory with the Court within sixty days of being appointed.

JOINT TENANTS—co-owners of property or bank accounts. Each joint tenant has an undivided interest in the entire property. When one co-owner dies, the property automatically passes to the surviving co-owners.

LIVING WILL—a type of advance directive in which a person states her wishes about future medical care.

MEDICAL ASSISTANCE—a government funded health insurance program which pays for medical care for those who lack the funds to pay for it themselves.

MENTAL STATUS EXAM—a test to determine a person’s level of mental functioning.

MINI-MENTAL STATUS EXAM—a commonly used test of a person’s awareness, level of consciousness, attention span, ability to think in abstract terms, ability to follow directions, memory, use of language, and mathematical ability.

ORAL ADVANCE DIRECTIVE—an oral statement given by a person in which she appoints a health care agent or gives instructions regarding her medical treatment. It will be valid if she is competent at the time she makes it, she makes it in the presence of a physician and a witness, and the physician notes the request in her medical record and signs and dates the medical record.

POWER OF ATTORNEY—A legal document in which an individual, the principal, appoints another person, an agent, to act on her behalf.

PUBLIC GUARDIAN—an agency appointed to act as guardian of the person for someone who has no appropriate family member or friend able to serve as guardian. The court appoints the director of the local agency on aging for those age 65 or over, and the director of the local Department of Social Services for those under age 65.

REPRESENTATIVE PAYEE—an agent appointed to handle the funds for someone who cannot do it herself. Social Security, the Veteran’s Administration and other pension programs will appoint a representative payee for one of their beneficiaries who cannot handle her own money.

SURROGATE—a substitute, or person who acts for another. In Maryland law, this term is used for a family member or close friend who is authorized to make a medical decision for a person who is unable to make a medical decision for herself.