

## Rabbi Billet – End of Life Planning

Dear Members:

This past Shabbos we joined with NASCK (National Association of Chevra Kadisha) to discuss important matters associated with end of life issues. Understandably, this is not a topic we enjoy discussing. But as mortal beings who are governed by the reality of the human condition, we must deal with reality while we are of sound mind capable of making practical decisions for ourselves and our heirs. We promised a follow up to our afternoon session with a letter to our members.

When I was a teacher in my early twenties, MHS, the school where I taught, hosted a seminar for its teachers on just this subject. I am grateful for this sobering but important learning event to this day. My colleague Rabbi Efrem Goldberg of the Boca Raton Synagogue (BRS) wrote an important essay on this subject. It will be enclosed at the end of this note. There is no need for me to reinvent the wheel. I believe that all of my colleagues at YIW are supportive of the contents of this communication. You may contact any of us. They have either approved or contributed to this message.

Just a few points of great importance:

1. Acquire cemetery plots ASAP. For YIW members information: our chevra kadisha has plots available in Wellwood cemetery and Beth Moses in Farmingdale. In Israel we have available plots in Eretz HaChaim in Bet Shemesh. If you are interested, please contact our chevra kadisha

2. Write a will - get advice from a lawyer who specializes in estate planning. Create trusts for your children. That will assist them with probate issues. You should add the RCA halachic will to your regular secular will <http://www.rabbis.org/documents/Halakhic%20Will.pdf>

3. Division of non monetary assets - chattel, real estate, and where relevant, business assets. Do it in consultation with your children while you are still alive. This will help avoid disputes after we are no longer here.

4. Rabbi Goldberg has a helpful list of items that should be stored in an accessible file. Add your social security number to his list.

5. Write a halachic Health Care Proxy. NASCK gives you both the RCA option and the Agudah option

[http://nasck.org/living\\_will.html](http://nasck.org/living_will.html)

6. Make a determination now about certain halachic issues that may relate to you later on. This includes which rabbi(s) you are comfortable to consult with to make decisions about end of life issues like DNR, definition of death, intubation, feeding tubes, high risk surgery, dialysis, central lines, nutrition, and heroic resuscitation decisions. Ideally, choose a doctor you trust to assist your family and rabbi(s) in these decisions.

## Rabbi Billet – End of Life Planning

### Rabbi Glatt Addendum to items 5 and 6

Ideally, the person selected as healthcare proxy should be a spouse, child or close relative, preferentially with a health care background, who lives nearby and/or will be readily available on-site to consult with the physicians. They should be able to understand and follow the psak and halachic directives of the Rabbi(s) that the patient has designated to be his/her posek for end of life issues. The immediate family should be informed of this choice and should be directed (as best as possible) to please respect this choice and to defer to this person if there is disagreement. This is especially important to be made clear when there are "blended" families and people with different religious and hashkafic backgrounds.

Discuss with your healthcare proxy and immediate family now about certain halachic issues that may relate to you later on. However, realize that many decisions simply cannot be made in advance because there are too many variables (acute versus chronic condition, complicated medical scenarios, limited medical ability to predict the relative likelihood of success versus failure, new treatment options, etc.). Your health care proxy will need to make decisions based upon the medical information and conditions present at the time when you are not able to do so, not solely based upon your prior statements.

7. Consider organ donation. Discuss this with your chosen halachic authority. If you choose to opt to donate organs sign the appropriate papers, make your children aware, and store the information with your important documents.

8. Choose your least controversial (intra family) child or children to deal with all or different parts of the sundry end-of-life issues. Make sure that all of your kids are on the same page regarding these matters while you are alive and of sound mind.

9. Rabbi Goldberg's list includes ICE and life and disability insurance. I would add long term care insurance to the list. The earlier you do that, the better off you are.

10. Try to set aside a separate fund to cover all of your burial costs if you are able to do that. Try to minimize your children's expenses and maximize their ability to have your long term care covered

11. Rabbi Goldberg's essay can be found on this link: <http://rabbisblog.brsonline.org/>. What follows is Rabbi Goldberg's list

ICE - Upon arriving at the scene of an accident or emergency, paramedics are trained to look at the patient's cell phone for an ICE - an In Case of Emergency entry that lists emergency contacts. Access to the right person and the right information can be the difference between life and death. Add an ICE entry to your cell phone phonebook immediately and consider downloading an ICE app that will allow access to your emergency contact(s) even when your phone is locked.

Life Insurance - Both Rav Moshe Feinstein (Igros Moshe Orach Chaim 2:111) and Rav Ovadiah Yosef (Yechaveh Daat 3:85) were asked if purchasing life insurance reflects a lack of faith and trust in Hashem. They responded that as long as one remembers that it is Hashem who empowered us with the wisdom to create life insurance and enabled us with this tool to protect our families, it is absolutely permitted and appropriate. They extend this endorsement to fire, theft, and car insurance as well. Nobody ever plans to be diagnosed with a terminal illness or to be the victim of a fatal accident. We cannot predict when our

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end will come, but we can plan so that the pain of our loss will not be compounded by financial instability, hardship and disaster.

Disability Insurance - Life insurance can provide for one's family members if they pass away, but what would happen if he or she suffered a debilitating injury or an incapacitating illness precluding the ability to work and provide an income? Disability insurance is only a luxury if it is never needed. We pray it will never be a necessity, but we would be foolish not to have it in case.

Halachik Living Will & Health Care Proxy - A myriad of complicated questions can arise in medical treatment, particularly at the end of life. This legal document empowers the patient to determine in advance what choices he or she would prefer within the halachikly approved alternatives. Moreover, rather than leaving wishes and desires ambiguous so that others are guessing and speculating, this document spells them out. Additionally, instead of conflict arising over how decisions are reached or which halachik authority should be consulted, the halachik living will documents the decision-making process and sequence. This is not a document for the old or infirm. Every adult should have one on record and it should be reviewed and updated every few years and as circumstances demand.

Will - Don't leave loved ones guessing or fighting over how you want your assets divided. You work hard for your money and it should be properly distributed among family, friends, and charities in a thoughtful, intentional and halachikly approved manner. If you still have minor children, identify who will be responsible for them and ask their permission to stipulate such in your will.

Ethical Will - In this week's parsha, Yaakov anticipates his demise and calls his family around his death bed in order to give them each blessings and charge them as a family. Throughout the millennia, prominent rabbis and leaders have recorded ethical wills communicating their values, vision, and passions to the next generation. Don't just leave children and grandchildren financial assets. Leave them your vision for who they could be and the most important values you hope they will pursue.

Burial Arrangements - Where do you want to be buried? Do you want a chapel service or a graveside service? Who would you like to officiate? Does your family know that you want a shomer, tahara, a halachik burial and for them to sit a full shiva and say kaddish? Have you bought a plot and purchased a "pre-need" package with a funeral home which is significantly less expensive than needing to buy it "at need?" Record your burial wishes in detail, including important biographical information that you would hope to be included in your eulogy, such as the major influences in your life and things you were most grateful for.

Organized File - Perhaps most importantly, gather all of the above documentation and place it in a clearly designated place that your loved ones are aware of and have access to. Include your doctors and their contact information, your bank accounts, safety deposit box, insurance information, brokers, etc. so that nobody will be left guessing and searching for important information when it is needed.

RHB