

Greater Wisconsin Agency on Aging Resources, Inc.

The Guardian

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The Guardian is a quarterly newsletter published by the Greater Wisconsin Agency on Aging Resources' (GWAAR) Wisconsin Guardianship Support Center (GSC).

The GSC provides information and assistance on issues related to guardianship, protective placement, advance directives, and more.

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Subscriptions to *The Guardian* are free. To subscribe, fill out our newsletter contact form.

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Points of Interest



WI Board for People with Developmental Disabilities – Wisconsin Partners in Policymaking Program Applications Open

The Wisconsin Board for People with Developmental Disabilities' Partners in Policymaking program is a six-session advocacy training to prepare future leaders around the state who can work with lawmakers and communities to support the inclusion of people with developmental disabilities in all aspects of life.

Parents or primary caregivers of children under 21 with developmental disabilities, adults with developmental disabilities, and adult siblings or family members of individuals with developmental disabilities are welcome to apply by October 27, 2025. Interested individuals can find more information, including session dates, expectations, and application materials, on [BPDD's website](#).

Upcoming Wisconsin Dementia Resource Network Webinars

The Wisconsin Dementia Resource Network is offering two free webinars this fall. The first will be on October 23 from 12-1 pm and will feature Jackie Hanson, Director of Education and the *Giving Voice Network*, a collection of choirs from around the world specifically designed for and comprising people living with dementia and their care partners. The webinar will discuss how to access the *Giving Voice Toolkit*, a how-to guide to starting a dementia-friendly community chorus, and how you can get involved, including how choirs can join the *Giving Voice Network*. Register for this webinar [here](#).

The second webinar, *Successful Approaches to Serving the Deaf and Hard of Hearing Community*, will be on December 4, from 12-1 pm. Jennifer Anderson and Stacie Heckendorf, DHS Office for the Deaf and Hard of Hearing (ODHH) will discuss the 5-year partnership between ODHH and the Wisconsin

statewide Building Our Largest Dementia (BOLD) Infrastructure for Alzheimer's Disease grant, as well as provide communication tips, assistive technology, and resources to minimize the impact of untreated hearing loss and dementia on our aging population. Register for this webinar [here](#).

Reframing Aging and Disability in Wisconsin – Free Webinars This Fall/Winter

Through the leadership of the Wisconsin Department of Health Services and the Wisconsin Aging Advocacy Network, we are taking steps to advance effective communication strategies about aging. Part of our activities include presentations from the National Center to Reframe Aging (NCRA). The following free webinars will introduce the key concepts of reframing and provide proven communications strategies that will reduce the negative health and policy impacts of ageism and ableism. View the flyer: <https://gwaar.org/api/cms/viewFile/id/2008710>

General introductory sessions:

- Tuesday, October 28 | 1:00 – 2:00 p.m.
Registration: https://zoom.us/webinar/register/WN_iNw7Tvm0Qky11NbDJI6v7Q
- Wednesday, February 11, 2026 9:00 – 10:00 a.m.
Registration: https://zoom.us/webinar/register/WN_TFO4fZzFSIO81sEKhiRaeQ

Introductory session tailored for health care professionals:

- Thursday, January 15, 2026 | 12:00 – 1:00 p.m.
Registration: https://zoom.us/webinar/register/WN_FzVArKUXSISUw0LZUn0HHw





AARP Wisconsin 2025 Fall Lobby Day – November 5-6, Madison

Join AARP Wisconsin for its fall advocacy session at the Capitol! Focus areas include falls prevention legislation, crypto kiosk consumer protection, efforts to address social isolation, and voter engagement. Join for education on these topics and meetings with legislators. Registration is [available online](#).

Social Connection Awareness Week – November 9-15, 2025

The Wisconsin Coalition for Social Connection (WCSC) will host Social Connection Awareness Week this year from November 9–15, highlighting the importance of staying connected for older adults and people with disabilities. Through partnerships across the state, WCSC promotes awareness of social connection policies, programs, and community activities that foster meaningful relationships. To kick off the week, join the Coalition and presenter Richard Kyte, Ph.D., for a free webinar on building community on November 10 from 12-1. [View the flyer and registration link](#).

USC Center for Elder Justice Blog: Protect Yourself Before, During, and After a Scam Incident

The NCEA is pleased to share a new blog, "[Protect yourself before, during, and after a scam incident](#)," by Melissa Lanning, Executive Director of the Better Business Bureau (BBB) Institute for Marketplace Trust.

Scammers show up everywhere—on our phones, computers, social media, and even at our doors—and approach people of all ages and backgrounds. While scams can feel overwhelming, there are practical, effective steps to reduce your risk and find support if you've been impacted. This [blog](#) highlights trusted BBB tools to provide recovery resources and support after a scam incident. Together, these tools can help people protect themselves and others, before, during, and after a scam.

New PBS Documentary: Caregiving

PBS introduced a new documentary over the summer featuring the stories of paid and unpaid caregivers navigating the challenges and joys of this meaningful work. The documentary can be streamed free through the [PBS website](#).

Additional GSC Publications Available in Spanish

The GSC has been working on Spanish translations of our most frequently requested documents and have now added a Spanish version of our "[Guardian of the Person: A Checklist to Get Started](#)" brochure. We expect to have a Spanish version of our Do-It-Yourself Consumer Packet for the Power of Attorney for Health Care available by the end of the year and will also be updating our "Duties and Powers" brochures for Guardian of the Person and Guardian of the Estate. We also added a section to the [GSC website](#) to collect all of our current Spanish publications in one place. ☐





New Assembly Speaker's Task Force on Elder Services

In September, Assembly Speaker Robin Vos announced the creation of several new task forces to address various policy issues, including a task force focused on elder services. The Speaker's Task Force on Elder Services will work to identify ways to improve the quality of life for Wisconsin's senior population. The task force will focus specifically on services that help seniors maintain independence in their own homes, encourage social interaction and community engagement to combat isolation and loneliness, prioritize physical wellbeing and financial independence, and prevent physical and financial elder abuse. Rep. Pat Snyder (R-Weston) will chair the task force, while Rep. Steve Doyle (D-Onalaska) will serve as co-chair. More information about the task force's activities will be available through the [legislature's website](#) as its activities get underway.

Upcoming Legislation on Next-of-Kin Decision-Making

Wisconsin legislators are currently seeking co-sponsors for a bill to expand next-of-kin decision-making for post-inpatient facility admissions for rehab or long-term care. The bill is similar to [2023 Assembly Bill 1088](#), which was introduced in February 2024 and ultimately failed to reach a vote in the state Senate.

Note: while the GSC is non-lobbying, GWAAR was among the organizations that opposed the legislation in 2024.

U.S. Senate Special Committee on Aging Releases Annual Fraud Report

In July, the U.S. Senate Special Committee on Aging

released the 2025 version of the committee's annual fraud report. The 2025 bipartisan report, [Age of Fraud: Scams Facing Our Nation's Seniors](#), highlights the growing financial threats facing aging Americans and ways for seniors to identify red flags to prevent victimization and respond to and report scams. This year's report underscores the alarming rise in scams, particularly sophisticated schemes that utilize artificial intelligence (AI). In 2024 alone, frauds and scams cost seniors over \$4.8 billion, with those aged 50-59 losing an additional \$2.5 billion.

Wisconsin Legislature Repeals Financial Eligibility Requirement for the Alzheimer's Family and Caregiver Support Program

In August, the Wisconsin legislature repealed the financial eligibility requirement for families to access funds through the Alzheimer's Family and Caregiver Support Program. The AFCSP helps Wisconsin families by providing financial assistance for in-home services, caregiver respite, and minor home improvements that allow people with dementia to continue living at home. With no financial eligibility requirement, more families and caregivers will be able to access services through this program. More information on the impact of this legislation is available through the Alzheimer's Association's [press release](#) on the signing of the bill.

Justice in Aging Blog: What's in the Budget Reconciliation Act of 2025 and What Does it Mean for Low-Income Older Adults' Access to Health and Long-Term Care?

The budget reconciliation act (H.R. 1)—formerly named the "One Big Beautiful Bill Act" or OBBBA—was signed into law on July 4, 2025. The bill makes a number of changes to Medicaid, Medicare, and the Affordable Care Act. In August, Justice in Aging

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[published an article](#) explaining the elements of the law and how it impacts individuals with disabilities, older adults, and individuals in long-term care. The article includes information on the timeline and a detailed section-by-section summary of these provisions of the bill.

Prescription Drug Take Back Day is October 25, 2025

By the GWAAR Legal Services Team (for reprint)

What do you do when you no longer need medication, or it expires before it's used up? Improper disposal of medication, or not disposing of it at all can be harmful for your loved ones and for the environment. Fortunately, it's easy to participate in Drug Take Back Day. All you need to do is drop your unused medications in a bin at a collection site. You can find a map of collection sites here: <https://www.dhs.wisconsin.gov/opioids/drug-take-back-day.htm>.

The following items will be accepted at collection sites, including:

- Capsules
- Creams
- Inhalers
- Non-aerosol sprays
- Ointments
- Patches
- Pills
- Vials

Pet medications will also be accepted. Please note that liquids must be in their original container. In addition, vape pens will be accepted if the batteries have been removed. Similarly, other e-cigarette devices will be accepted if the batteries are removed.

The following items will not be accepted:

- Aerosol cans
- Anything containing blood or a bodily fluid
- Household hazardous waste (paint, pesticides, oil, gas)
- Illegal drugs
- Iodine-containing medications
- Mercury thermometers
- Personal care products (shampoo, soap, lotion, sunscreen, etc.)
- Sharps or syringes
- Vape pens or e-cigarette devices with a built-in battery that cannot be removed.

If you plan to store unused medication for a drug collection event, you can minimize the risk of accidental poisoning, overdose, or illegal use by storing medication out of reach of children or in a locked cabinet. If you have narcotics or other controlled substances, contact your local police department to find out if they will accept them. Some police departments accept non-controlled substances, too. You can also find a permanent drug drop box here: <https://www.dhs.wisconsin.gov/opioids/permanent-drug-drop-boxes.htm>.

Alternatively, some medication may be reused or donated. Wisconsin allows certain pharmacies to take back unit doses of medication for cancer and chronic diseases. This medication will be redistributed through the Wisconsin Drug Repository. For more information about the Wisconsin Drug Repository, please see: <https://www.dhs.wisconsin.gov/guide/cancer-drugrepo.htm>. Please note that most charities will not accept unexpired medication from households. If you see an opportunity to donate medication, be very cautious and research the program well.





If you have no other options, do not flush and do not burn your unused medication. Instead, put them in the trash. When there is a risk of accidental poisoning, overdose, or illegal use, it is better to throw out unused medications than to keep them in your home. When you throw out unused medication, you should remove all labels that identify the medication or provide personal information about you, including prescription information that someone could try to refill. In addition, you should consider dissolving the medication in a small amount of water, grinding up pills, or mixing the medication with coffee grounds or kitty litter. You can also put the medication into another container to better hide it in your trash.

Marketplace Open Enrollment Starts November 1 ***By the GWAAR Legal Services Team (for reprint)***

Open enrollment for 2026 health insurance coverage through the Marketplace starts November 1 and ends January 15, 2026. If you enroll in a health insurance plan before December 15, 2025, your coverage will start January 1, 2026.

If you don't have health insurance through your job, Medicare, Medicaid, the Veterans Administration (VA), or another source, the Marketplace can help you get coverage. Marketplace health insurance plans provide coverage for benefits like doctor visits, inpatient and outpatient hospital care, prescriptions, mental health services, and laboratory tests. Marketplace plans are also required to provide coverage for pre-existing medical conditions. That means that a plan cannot reject you, charge you more, or refuse to pay for care for any condition you had before your coverage started.

What you pay for Marketplace insurance depends on your expected income for the year. You may qualify for a premium tax credit that lowers your monthly insurance bill. In addition, some people are eligible for extra savings on out-of-pocket costs like deductibles and copayments.

Please note that Marketplace plans are not for people who have job-based health insurance, Medicare, Medicaid, or VA coverage. If you already have this type of coverage or are eligible for it, you will most likely not be eligible for premium tax credits. In addition, if you have Medicare, it is illegal for an insurance company to sell you a Marketplace plan. Medicare and the Marketplace are two completely different programs.

There are several ways to apply for Marketplace coverage. Starting November 1, you can apply:

- Online at www.healthcare.gov,
- By phone at 1-800-318-2596,
- With in-person help from local enrollment assisters or insurance agents or brokers (you can search for local help here: <https://localhelp.healthcare.gov/#/>), or
- With a paper application, available at: <https://marketplace.cms.gov/applications-and-forms/marketplace-application-for-family.pdf>.

In order to apply, you will need to provide information about your household size, income, and any current health insurance coverage. Even if you currently have a Marketplace plan, it's a good idea to review your application information to make sure it is up-to-date. In addition, you should make sure that your plan is still the best fit for you.

Please note that if you are currently enrolled in a fully subsidized plan with a \$0 premium, you must

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verify your continued eligibility for a fully subsidized plan in 2026. If you are re-enrolled into that same plan, and you do not verify your eligibility for a fully subsidized plan, you will be charged a premium of \$5 until you confirm or update your eligibility for that subsidy.

If you do not sign up for a 2026 Marketplace plan by January 15, 2026, and you do not have another type of health insurance coverage, it may be very difficult for you to find health insurance if you need it later. Outside of Open Enrollment, you can only enroll in a Marketplace plan if you have a special enrollment period. Examples of events that might give you a special enrollment period include getting married, losing your health insurance, or moving to a new county or zip code.

Help! My Medicare Advantage or Part D Plan is Going Away Next Year!

By the GWAAR Legal Services Team(for reprint)

While it's always a good idea to review your Medicare Advantage or Part D plan options during the fall Medicare Open Enrollment Period (OEP), which runs from October 15 through December 7, most plans renew automatically from one year to the next. That means that if your plan renews, and you do not choose a new plan during OEP, you will be automatically enrolled in the same plan for the following year.

However, insurance companies sometimes decide not to renew plans for the upcoming year. When this happens, plan members receive a Plan Non-Renewal Notice in September that says that their plan will be leaving the Medicare program in the following year. This means that current members will not be automatically enrolled in the same plan for the next year, and they must choose a new plan

in order to maintain coverage.

Beneficiaries whose plan is not renewing have several opportunities to find new coverage. First, they can enroll in a new Medicare Advantage plan or Part D plan during the fall OEP between October 15 and December 7. Their new coverage will begin on January 1 of the following year. If they do not choose a new plan during OEP, they can use a special enrollment period for individuals in nonrenewing plans that lasts from December 8 through the end of February in the following year. Coverage will begin the first of the month following the month in which they enroll.

Members of Medicare Advantage plans that are not renewing also have the right to enroll in a Medicare Supplement regardless of their health status. This is called "guaranteed issue." If you have a guaranteed issue right, you must apply for a new supplement policy within 63 calendar days of when your old health plan or policy ends. During this time, an insurance company cannot deny insurance coverage or require a waiting period for coverage, must cover you for all preexisting conditions, and cannot charge you more for a policy because of any preexisting conditions.

Please note that a plan non-renewal is different from a situation in which enrollees in a plan that is no longer being offered are automatically enrolled into other plans offered by the same company. This occurs when an insurance company consolidates some of its plan offerings. Enrollees of a plan being consolidated into another plan that is renewing do not have to take any enrollment action during OEP because they will be automatically enrolled, or "mapped," into the consolidated plan. Beneficiaries who are being mapped will receive the standard Annual Notice of Change (ANOC) in September

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which will explain the changes in the plan for the upcoming year. If they do not want to be enrolled in the consolidated plan, they must choose a new plan during OEP. They will not have a special enrollment period that extends the time they have to choose a new plan.

For help understanding your plan options during OEP or for enrollment assistance, contact your local Aging and Disability Resource Center or find a State Health Insurance Assistance Program (SHIP) Counselor here: <https://www.dhs.wisconsin.gov/benefit-specialists/medicare-counseling.htm>.

Reporting Income to Social Security Administration By the GWAAR Legal Services Team (for reprint)

There are several types of benefits administered through the Social Security Administration (SSA) that require recipients to report their monthly wages – Social Security Disability Insurance (SSDI), Social Security Retirement (SSRE) if taken before full retirement age, and Supplemental Security Income (SSI). The information below outlines each program's requirements as well as information on how beneficiaries may report their monthly wages.

Social Security Disability Insurance (SSDI)

If you collect an SSDI benefit, you need to report your wages and some other types of income as well. You need to report if you stop working, change a job, start a new job, have a change in self-employment, or have an increase or decrease in hours and/or pay. You must also report your wages from employment if you earn over a certain threshold. For 2025, that threshold is \$1,160 per month. You do not need to report changes in your spouse's income.

To report your wages, you can call SSA or log in to

your Social Security account. For more information on how to report your earnings for SSDI, visit: <https://www.ssa.gov/disability/reporting/wages>.

Social Security Retirement (SSRE) (before full retirement age)

You may begin collecting a Social Security benefit as early as age 62. However, you will have your benefit amount permanently reduced depending on when you begin collecting. Additionally, there is an earnings limit and if you go over that limit, you will have a reduction in benefits. The formula to figure out what that limit is and by how much your benefit will be reduced depends on several factors. SSA has a calculator at the following website to assist: <https://www.ssa.gov/benefits/retirement/planner/whileworking.html>.

When collecting SSRE early, you estimate your gross earnings each year. Gross earnings means before taxes or other deductions and does not include your spouse's income. Additionally, if your earnings change during the year for whatever reason, you should report this to SSA. There is not an online or app-based reporting system for this at this time. You may call SSA or complete a basic statement form (SSA-795) and submit it to SSA. More information on this is available here: <https://www.ssa.gov/retirement/reporting>.

Supplemental Security Income (SSI)

Supplemental Security Income or SSI is a needs-based program. This means that it is reserved for people with low or no income from any other sources. It also requires that an individual have low resources – under \$2,000. Therefore, you need to report ALL of the income you and your spouse receive. You must also report if you go over (or back

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down below if previously over) the \$2,000 resource limit. You must report your (and your spouse's) wages monthly and report other income sources only if there are changes. See below for the full list of income you need to report.

Every month:

- Wages from employment (self and spouse)
- Child support
- Unemployment benefits

Yearly by January 10:

- Self-employment income

As changes occur:

- Cash from friends or relatives
- Pensions
- Lottery and gambling winnings
- Self-employment income estimates
- Changes in income from all sources

For SSI, there are many options to report your monthly wages. You can report online by signing in to your online account. SSA also has a smart phone app for reporting monthly SSI wages. This app is available for Apple or Android smartphones. There is also an automated telephone wage reporting system. For more information on SSI wage reporting options, visit: <https://www.ssa.gov/ssi/reporting/wages>.

Be Aware: Scams Continue to be an Issue ***By the GWAAR Legal Services Team (for reprint)***

It seems like every week, or sometimes every day, there is a new scam to be aware of. According to the FBI, \$4.8 billion in losses due to fraud in 2024 were from older adults. Keeping your information safe can seem overwhelming. Here are some scams to know about, and tips to keep yourself safe. Please

note this article isn't all-inclusive; there are new scams all the time. Trust your instincts and follow best practices to stay safe!

Some scams to know about:

Phantom hacker scam. A tech support imposter will contact someone via email, phone, or another way, claiming to provide tech support. They will convince the person to download software giving them access to the person's computer and information. Next, someone claiming to be from the person's financial institution reaches out claiming their accounts have been hacked and directing them to transfer money to a governmental entity. Finally, a US government imposter convinces the person that their funds need to be moved.

Social Security scam. Emails telling seniors their social security numbers have been used for criminal activity are scamming people into losing their money and identity. The emails threaten a suspension of benefits unless people act quickly. **The Social Security Administration communicates with people via mail, not email.** These scam emails also do not come from a .gov email address, another red flag.

Medicare card scam. Calls claiming you need a new Medicare card for any number of reasons are attempts to get your personal information. Never confirm your Medicare number over the phone. **Guard your Medicare card as you would a credit or debit card.**

Other Medicare scams. Medicare scams tend to increase during the Open Enrollment Period (October 15-December 7). Be especially vigilant during this time. Caller ID can be spoofed, so even if you think you are getting a call from a legitimate

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organization, be wary of providing information over the phone. You may be told you have to destroy your old Medicare card – this is not true. **If you receive a new Medicare card, shred or destroy the old one immediately.** Scammers can also pressure you to switch to a certain Medicare plan, claiming it's preferred by Medicare. **Medicare does not endorse any specific plans. Be wary of free items or services, such as equipment or genetic testing.** These offers will require your personal information and are attempts to defraud Medicare.

Romance scams. A romance scam involves someone gaining your trust and affection to then exploit you emotionally and financially. Social media is an easy way for scammers to target and contact people. Be on guard against any rapid romance and attempts to isolate you or keep things secret. Red flags include requests for money, inconsistent stories, and anything that seems too good to be true. **A genuine love interest doesn't ask you for money, toy with your emotions, demand secrecy, or present you with ultimatums.**

Other tips:

Prevention is key. It can be very hard to undo damage once a scam is underway, so staying aware of things that don't feel right and asking a trusted person for their opinion or assistance if you feel someone is trying to get personal information from you are smart ways to prevent a scam from occurring. Don't feel ashamed or embarrassed for talking about scam attempts or asking for help. Scams are increasingly sophisticated and hard to detect; there is nothing wrong with you for being targeted.

Don't worry about being nice! It can be hard to say no, especially if you feel you have to be polite. Just

because someone asks you something doesn't mean you have to answer it or give them what they want. Taking advantage of this tendency toward kindness is one way scammers get information from people.

Seek healthy social connections. Loneliness is another trait scammers prey upon. Keep family ties, or seek out your chosen family. There are places and activities that can help you stay connected and fulfilled – ask your ARDC staff for ideas! Many times we don't even realize we've grown lonely or feel isolated until it's too late. A scammer can take advantage of that desire for companionship and insert themselves into your life.

Keep your mind engaged. Puzzles, reading, any activity you find enjoyable that engages your brain helps against cognitive decline. Cognitive decline can make it harder to remember who people are or detect warning signs of scams.

Protect yourself from medical identity theft.

Scammers try to steal personal identity information such as your SSN or Medicare number to submit false claims to Medicare and health insurance companies. Track the dates of your medical appointments and services, and save receipts and statements from providers to check for errors. Call 1-800-MEDICARE if you detect an error or suspect your Medicare number is being used for fraud. If you aren't sure if a request for your personal identity information is legitimate, ask a trusted source for assistance.

Verify requests for information from a secondary source.

If someone asks you for personal information, claiming to be from an insurance company or government source like Medicare, tell them you will contact them later with that information. Call the main number you have for that

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office to confirm the request for information was valid; do not call whatever number the suspicious person gave you.

Don't fall for urgent requests. Scammers rely on you reacting quickly to perceived threats and not thinking things through or checking before acting. Rarely will there be a situation that requires you to act immediately. Take the time to verify requests (see above) and get help with any sudden situations.

And finally, **do not EVER go to a cryptocurrency ATM for any reason!** A legitimate caller will never ask you to go to a cryptocurrency ATM. A cryptocurrency ATM is a machine found at many retail outlets such as gas stations where you can buy bitcoin or other cryptocurrencies using cash or debit card. An investigation by the Iowa attorney general found that over 98% of transactions at these machines were scam transactions. If anyone ever asks you to go to one of these machines, hang up immediately. You can read more about the Iowa Attorney General's investigation here: <https://www.iowaattorneygeneral.gov/newsroom/attorney-general-bird-sues-crypto-atm-companies-for-costing-iowans-more-than-20-million>.

Sweet Investment Opportunity, or Scam?

In addition to the scam tips from GWAAR's legal team above, the Consumer Protection Bureau at the WI Department of Agriculture, Trade, and Consumer Protection released the following article about common scams they see and how consumers can protect themselves and their loved ones:

FOR IMMEDIATE RELEASE: October 15, 2025

DATCP Contact: Caleb Kulich, Public Information Officer, (608) 621-1290,

caleb.kulich@wisconsin.gov

DFI Contact: Jess Noelck, Communications Director, (608) 261-4504,

DFICommunications@dfi.wisconsin.gov

MADISON, Wis. — Scammers convince consumers to invest their money in fraudulent schemes by using many different tricks – even romance. Ahead of Sweetest Day on October 18, consumers can protect themselves from heartbreak and devastating financial loss by learning how these scams work and how to identify them.

In 2024, investment-related fraud made up less than 5% of fraud reports to the Federal Trade Commission (FTC). However, that small percentage resulted in over \$5.6 billion in financial losses and accounted for over 45% of all fraud losses reported to the FTC last year. While the median amount lost by consumers was \$497 across all fraud categories, investment related fraud had a median loss of \$9,196.

In recent years, a form of investment fraud known as “pig butchering” has become more common. In this scam, the scammer targets a consumer by pretending to be an online romantic interest or investment coach. The scammer builds a relationship with their target through a dating app, text messages, or social media platform.

Next, the scammer asks their target to invest with them in a promising new trading platform or by buying an exciting new cryptocurrency. They guarantee big returns. What the consumer does not know is that the proposed investment is secretly controlled by the scammer. The consumer is provided fake growth charts and account statements from the fake trading platform; then they are encouraged to invest more money into the

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scheme. This is called “fattening the pig.” When the consumer runs out of money or realizes it is a scam, the scammer “butchers the pig” by disappearing with all the invested funds.

The best way for consumers to handle a pig butchering scam is to recognize the red flags and avoid it entirely by never giving money to anyone they meet online. Some warning signs consumers can take notice of include:

- No trustworthy romantic interest or investment coach will pressure someone to quickly invest a large amount of money into a little-known trading platform or cryptocurrency.
- Many pig butchering scams start with a “wrong number” text message. If a consumer receives a text meant for someone else, they should ignore it.
- “Love bombing” – when a romance quickly showers their partner with affection to manipulate them. Scammers use this technique to gain trust and pitch investing together.
- Social media profiles run by scammers usually do not have a long history of posts or photos. If a profile seems very new, it could belong to a scammer.
- If an online romance attempts to isolate someone from their friends and family, they might be a scammer who wants to be the only person their target trusts.

If a consumer realizes they or someone they know has been scammed, they should take the following steps:

- Stop all contact with the scammer.
- Save all communications with the scammer, including bank and cryptocurrency account transaction records.

- Collect any identifying information they have about the scammer, including their name, phone number, email and mailing addresses, and social media account handles.
- Report the scam to their financial institutions, credit card companies, and local law enforcement right away.

Victims of pig butchering and cryptocurrency investment scams should report the scam to local law enforcement and ask for a case number. Victims should also file a complaint with the Wisconsin Department of Financial Institutions (DFI), the Federal Bureau of Investigation’s Internet Crime Complaint Center, and the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP).

For more information on financial investment scams, including pig butchering and cryptocurrency scams, review the DFI’s Investment Scam Tracker. The tracker includes descriptions of fraudulent or deceptive scams based on consumer complaints reported to the DFI. The investment scam tracker is searchable by company name, scam type, or keyword, and it includes a list of frequently asked questions, a glossary of common investment scam related terms, and links to additional investor resources. Consumers with questions are encouraged to contact the DFI’s Division of Securities at (608) 266-2139 or DFIDLSecuritiesEnforcement@dfi.wisconsin.gov.

For more information and consumer protection resources or to file a complaint, visit DATCP’s Consumer Protection webpage at ConsumerProtection.wi.gov or contact the Consumer Protection Hotline at (800) 422-7128 or DATCPHotline@wisconsin.gov.

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Lower Your Fall Risk

By the GWAAR Legal Services Team (for reprint)

According to DHS, the number of emergency calls for falls has increased by 10,000 since 2023. The injuries from falls can be long-term and devastating. This increase has prompted the Wisconsin Institute for Healthy Aging to launch its Falls Free Wisconsin campaign, aimed at reducing the fall risk for Wisconsinites across the state. The Falls Free Wisconsin website, located at <https://fallsfreewi.org/>, offers a wealth of information to help individuals and caregivers reduce the risk of falling. The Falls Free Wisconsin website provides a fall assessment, a calendar of events, and general information about fall risks and how to prevent them.

Falling can occur for several reasons and cause lasting negative effects to an individual's health and well-being. Learning about common risks and how to spot them can greatly reduce your risk of falling. Falls Free Wisconsin offers a helpful checklist to assess your home for fall risks, allowing you to eliminate them before they become an issue.

You can find that checklist at <https://fallsfreewi.org/wp-content/uploads/2023/07/Home-Safety-Checklist.pdf>. The website also has a home walk-through example with tips to help you assess your home and reduce your risk.

Reducing your risk of falling also involves help from your family, caregivers, and doctors. Conversations with your loved ones or a health provider about your concerns with falling can be tough to start. Listed below are some things you can do to make the conversation about your fall concerns a little easier:

- Write down your concerns and questions about

your fall risk. This will help ensure that you ask everything you want to and express all your concerns.

- Be honest about your concerns. You can't get the help you need if you aren't truthful about the concerns you have.
- Take notes when you have these conversations. Notes will help to ensure that you understand your next steps, and they can be used to help you make a plan to reduce your risk of falling.
- Keep talking about your concerns. Continuing the conversation about your concerns can help ensure that others understand them and offer support that meets those needs. You can find information to help your caregivers support your needs at <https://fallsfreewi.org/prevent-falls/caregivers/>.

Not all falls can be prevented. Knowing how to fall safely can reduce your risk of injury. Discuss with your doctor how to prevent injuries when falling. Some general tips for reducing injuries from falls are listed below:

- Protect your head and hips. These areas cause the most serious injuries with long-term effects.
- If possible, fall on softer surfaces like carpet or grass.
- Try to land on "meatier" areas of your body, like your butt or thighs.
- Don't panic if you fall. Take a few minutes to calm down and assess yourself for injuries before you try to get up.
- You should talk with your doctor about using any of these tips before attempting them.
- If you don't know if you're injured, call for help immediately.

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Other considerations to reduce your risk of falling include regular exercise, wearing fitted clothing, having regular vision and hearing checks, and using assistive devices. Participating in a balance and strengthening exercise class can help improve your balance and endurance while walking. Check your clothing to make sure that your shoes fit properly and your pants or skirt aren't dragging on the floor. Work with your doctor to have your vision and hearing checked regularly so that you can be aware of your surroundings. Consider using assistive devices that can help you walk around safely and more independently.

Falling can have lasting effects on your health and overall well-being. It's essential to discuss fall concerns with loved ones and healthcare professionals. Together, you can help safeguard your home and find tools that help to reduce your risk of falling. Check out Falls Free Wisconsin at <https://fallsfreewi.org/> for more information and tools to help you be fall free. □

Helpline Highlights



I am the guardian for a family member, and I would like to make sure that there is a plan in place to take care of them if something happens to me. What can I do? What is the difference between a standby guardian and a successor guardian?

Wisconsin's guardianship statutes provide for either a standby guardian (someone who has been pre-approved by the court to take over either temporarily or permanently if the initial guardian is unable or unwilling to act) or a successor guardian (someone who can take over if the initial guardian is unable or unwilling to act, and no standby has been appointed or is available).

Under Wis. Stat. § 54.52, a standby guardian's appointment is immediately effective upon the death, unwillingness or inability to act, resignation, or court removal of the initial guardian. A standby guardian can also take over temporarily, if the initial guardian is unable to perform their duties due to an extended vacation or illness. The standby guardian will have the same powers and duties as the initial guardian.

The initial guardianship petition provides for the opportunity to establish a standby guardian, but you can also petition the court to add a standby guardian later, using standard court form GN-3435. Adding a standby guardian later typically requires a hearing to ensure that the guardian is fit to serve and appropriate for the ward. The court will appoint a guardian ad litem for the ward and schedule the hearing. The ward has all of the same rights as at any other hearing relating to their guardianship, including the right to attend the hearing and the right to their own attorney.

Whether the proposed standby guardian is added in the initial petition or later, they must also complete the Statement of Acts and Consent to Serve form (GN-3140). They must also complete the mandatory guardian training through UW-Green Bay.

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Successor guardianship is governed by Wis. Stat. § 54.54. If the initially appointed guardian dies, is removed by court order, or resigns and no standby guardian is in place, any interested person may file a petition to be a successor guardian. The court may also appoint a suitable person on its own motion, with or without a hearing. If the court appoints the successor without a hearing, the ward and any other interested person may petition for reconsideration.

The Guardianship Support Center website includes guides on the standby and successor guardianship process, available in both [English](#) and [Spanish](#).

My sister wants me to be her agent on her power of attorney for finances. Am I personally responsible for any of her debts? Do I have to pay her bills if she dies?

Generally, no. An agent acting in good faith within the authority of the power of attorney document is generally not personally liable for bills or debts incurred by the principal, or for any failure to preserve the principal's estate plan. In addition, under Wisconsin law, a financial power of attorney terminates when the principal dies. Wis. Stat. § 244.10(1)(a). The estate's personal representative or administrator is responsible for directing the estate to pay claims in the order set out by statute or as ordered by a court, to the extent the estate has available funds. For more information on estate proceedings, we recommend consulting a private estate planning or probate attorney.

However, if the agent has not acted in good faith, has engaged in impermissible self-dealing, or has overstepped the authority of the power of attorney document, they may be held liable to reimburse the principal and/or restore the value of the principal's property. Wis. Stat. § 244.17. □

What is the Guardianship Support Center able to help with?

The GSC is a neutral statewide informational helpline for anyone throughout the state. We can provide information on topics such as Powers of Attorney, Guardianship, and Protective Placement. The GSC is unable to provide information on minor guardianships, wills, trusts, property division, or family law. The GSC is also unable to give legal advice or specific direction on completing court forms such as the inventory and annual accounting. The GSC does not have direct involvement in cases and is not able to provide legal representation.

What are some other free or low-cost legal resources?

Other resources include the American Bar Association's Free Legal Answers [website](#) where members of the public can ask volunteer attorneys legal questions. The State Bar of Wisconsin also offers a Modest Means Program for people with lower income levels. The legal services are not free but are offered at a reduced rate. Income qualifications must be met. For more information, visit the State Bar's [website](#) or call **800-362-9082**.

Interested in Receiving *The Guardian*?

Do you want more information about guardianship, POAs, and related issues? Signing up is easy with a link on our website: [Guardian Newsletter Sign-Up](#). You can also subscribe by emailing guardian@gwaar.org.





Title: *Brown County v. K.B.*

Court: Court of Appeals, District III

Date: September 16, 2025

Citation: [2024AP1843](#)

Case Summary

This case involved the appeal of an order continuing protective placement for “Kathy.” Kathy argued that Brown County’s annual review of her placement presented insufficient evidence to prove that she still met the standard for protective placement in Wis. Stat. § 55.08, as required to keep her in a protective placement. The Court of Appeals agreed with Kathy that the county failed to meet the evidentiary standard to keep her in protective placement and reversed the circuit court’s order.

Case Details

Kathy (K.B.) had been under a guardianship under Chapter 54 and a protective placement under Chapter 55 since 2023 due to a major neurocognitive disorder caused in part by substance use. Kathy had an extensive criminal history, had been physically and sexually assaulted, and had previously made suicidal plans. Following Brown County’s 2024 annual review of her protective placement, the circuit court ordered her protective placement to continue. Kathy disputed her protective placement, but did not dispute her guardianship or the court’s finding that she was incompetent.

The county’s evidence in its annual review was based on the testimonies of a court-appointed psychologist, Dr. L. W. Cole, and a county caseworker, Robin Schwartz. Dr. Cole testified that he examined Kathy and found that she had a “primary need for residential care and custody” because of her intellectual disorder that would “put her in danger” and her “history of being exploited.” Caseworker Schwartz testified that placement location staff said

Kathy “can become very aggressive and violent towards staff” and opined that Kathy should remain in protective placement. Although the county noted that the annual review petition had been completed by a different worker who was no longer with the county; Schwartz stated that her testimony based on her own investigation was consistent with the prior worker’s comments in the review report. Over Kathy’s objection to the report as hearsay, the circuit court admitted the report into evidence. Based on these testimonies, the circuit court ordered that Kathy continue her protective placement.

Kathy argued that the county failed to show that she had a “primary need for residential care and custody” and that she was “so totally incapable of providing for [] her own care or custody as to create a substantial risk of serious harm to [] herself or others,” as required by Wis. Stat. §§ 55.08(1)(a) and (c). Under Chapter 55, the county needed to prove all elements of Wis. Stat. § 55.08(1) by “clear and convincing evidence.” Additionally, the county needed to show that alternative treatments that are less restrictive than a protective placement would not serve Kathy’s needs.

Kathy characterized Dr. Cole’s testimony that Kathy was a danger to herself and had a history of being exploited as too vague and conclusory to help the county meet the standard of evidence required by Chapter 55. Dr. Cole did not give any specific examples of how she would be a danger to herself or how she had been exploited. Kathy also noted that Dr. Cole testified that Kathy was able to complete all of her own activities of daily living.

The Court of Appeals agreed with Kathy that the annual review report was inadmissible hearsay. While there is a hearsay exception for business records created in the course of a regularly conducted activity, the report itself contained another level of hearsay as it documented statements made to the work-





(*Brown Cty v. K.B. cont. from pg 16*)

er who had written it. The Court noted that while the business records exception would apply to the report itself, it cannot apply to the uncorroborated hearsay contained within that report. Thus the Court found that the statements in the report saying that that Kathy was aggressive and violent towards staff were inadmissible hearsay and could not be used as evidence in this case.

Because the testimony by Dr. Cole was too vague, and because the statements by staff about Kathy's violence were not admitted as evidence, the Court of Appeals held that the county produced insufficient evidence to show that Kathy had a primary need of residential care and custody or posed a significant risk to herself or others. Consequently, the Court of Appeals reversed the circuit court's order continuing Kathy's protective placement.

Title: *Wood County v. J.A.B.*

Court: Court of Appeals, District IV

Date: August 21, 2025

Citation: [2025AP220](#)

Case Summary

This case involved the appeal of the circuit court's order of protective placement for J.A.B. under Wis. Stat. § 55.08. J.A.B. argued that Wood County failed to prove by clear and convincing evidence that she was so totally incapable of providing for her own care or custody as to create a substantial risk of serious harm to herself or others, as required by Wis. Stat. § 55.08(1)(c). The Court of Appeals agreed with J.A.B. and reversed the circuit court's order for protective placement.

Case Details

J.A.B. was previously in a protective placement from 2012 until its termination in 2022. Wood County

filed for a new protective placement in 2024 and had a psychologist, Dr. Nicholas Starr, evaluate J.A.B. over the phone. In response, J.A.B. obtained an independent psychological evaluation, performed by Dr. Steven Benson.

The county's witness, emergency mental health protective services coordinator Erin Knetter, testified that J.A.B.'s guardian had stated that she continued to drink alcohol and once became so intoxicated at a neighbor's residence that she needed to call the maintenance man to help her get back to her apartment because she was incapable of walking. J.A.B. had also gotten into fights with neighbors that left her with lacerations and bruises. J.A.B. continued to have contact with law enforcement due to her alcohol use and had been taken by law enforcement within the past year to a medical center because law enforcement felt she was so unsafe. After this incident at the medical center, J.A.B. sobered up and was sent home to care for herself. In the two years after her last protective placement, J.A.B. was evicted from two separate residences due to her alcohol use and bed bugs and had received a notice of eviction from a third residence in early 2024.

Knetter also testified that in-home services for J.A.B. were insufficient because J.A.B. tended to not allow people into her home and became belligerent to service providers because of her drinking. However, Knetter admitted that she had not visited J.A.B. at her current residence and that J.A.B. was attending all of her appointments and accepting all in-home services.

The county's psychologist, Dr. Starr, testified that J.A.B. had a significant history of alcohol abuse and schizoaffective disorder and was unable to properly care for herself. Dr. Starr stated that if J.A.B. continued her drinking, she would eventually be left in a





(*Wood Cty v. J.A.B. cont. from pg 17*)

vegetative state. J.A.B.'s independent psychologist, Dr. Benson, diagnosed J.A.B. as suffering from "among other incapacities, serious mental and neurocognitive deficits due to multiple etiologies, including chronic alcohol abuse." However, Dr. Benson said that J.A.B. was able to complete her activities of daily living, including dressing herself, basic toileting tasks, dialing a cell phone, preparing her own meals, complying with her medication, and completing laundry, all without assistance. Additionally, Dr. Benson reported that J.A.B. received help from outside services for housekeeping and shopping. Dr. Benson opined J.A.B. should remain in a guardianship but did not need a protective placement because she "ha[d] demonstrated the ability to live independently with the support of her current guardian."

After hearing both parties' arguments and the recommendation of the guardian ad litem, the circuit court ordered the protective placement of J.A.B. On appeal, J.A.B. argued that the county failed to show that she was "so totally incapable of providing for her own care or custody that she posed a substantial risk of harm to herself or others," as required by Wis. Stat. § 55.08(c)(1). This foreseeable harm must be serious; minor accidents or injuries are not sufficient to satisfy this requirement.

The Court of Appeals agreed with J.A.B. that the county had not met its burden of showing by clear and convincing evidence that J.A.B. was "so totally incapable of providing for her own care or custody that she posed a substantial risk of harm to herself or others." J.A.B. had a history of being belligerent with service providers and refusing to let people into her apartment, but it was unclear how this would cause her serious harm. J.A.B. had gotten into fights with neighbors, but these fights only left her with minor lacerations and bruises, which was not

enough to reach the level of serious harm. J.A.B. continued to drink alcohol, which Dr. Starr said would lead to a "permanent, probable vegetative disability," but this was speculative and did not reach the standard required for protective placement. On the whole, the Court of Appeals held that the county did not show sufficient evidence for the court to grant a protective placement and reversed the circuit court's decision.

Title: *Washburn County v. L.R.Y.*

Court: Court of Appeals, District III

Date: July 22, 2025

Citation: [2025AP272-FT](#)

Case Summary:

This case involved the appeal of a circuit court's order for the involuntary commitment for treatment of Lily under Wis. Stat. § 51.20. Lily argued that the court violated her right to have fact witnesses in person at her hearing when the court allowed these witnesses to appear by videoconference. The Court of Appeals agreed with Lily that allowing fact witnesses to appear by videoconference violated Lily's rights under Wis. Stat. § 885.60(2)(d) and reversed the circuit court's order.

Case Details:

Lily (L.R.Y.) was emergently detained under Chapter 51 in August 2024 after a competency evaluation for a criminal trial. The court found probable cause that Lily was mentally ill, a proper subject for treatment, and a danger to herself or others, and ordered a hearing on the matter and for Lily to be examined by mental health professionals. At her hearing, Lily demanded a jury trial and objected to the court allowing the county's five fact witnesses to appear by videoconference. The court overruled Lily's objec-





(*Washburn County v. L.R.Y. cont from pg 18*)

tion, and a jury subsequently found that Lily should be in an involuntary commitment.

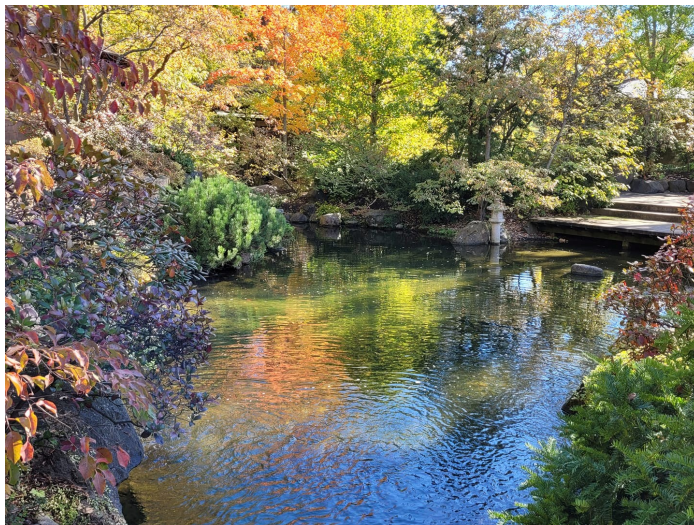
On appeal, Lily argued that the circuit court erred in allowing the five witnesses to appear by videoconference, because under Wis. Stat. § 885.60(2)(d) Lily has the right to confront witnesses in person in a Chapter 51 proceeding against her. A circuit court generally has broad discretion in whether to allow witnesses to appear by videoconference, but Chapter 51 proceedings are an exception: if the subject of the proceeding objects, the court must sustain the objection.

The county argued that the error was harmless. The Court of Appeals noted that when a court commits an error, the burden is on the beneficiary of the error (the county) to show that this error was harmless. In other words, the Court of Appeals “must be satisfied...that the jury *would* have arrived at the same verdict had the error not occurred.” The county did not address this issue and therefore did not reach their burden of showing this error was harmless; the only thing the county said about having their witnesses appear by videoconference was that their witnesses would have had to drive several hours to appear in person, at their own inconvenience. Because Wis. Stat. § 885.60(2)(d) requires the court to sustain the objection and because the county did not prove that the error was harmless, Court of Appeals reversed the circuit court’s order for commitment.

Note: As noted in this case, while Wisconsin’s rules of civil procedure do generally allow a judge to exercise discretion on allowing witnesses to appear by videoconference, Wis. Stat. § 885.60(2) provides an exemption for certain types of proceedings (including both mental commitments under Ch. 51 and protective placements under Ch. 55). For any

hearings for these types of cases in which the respondent has a right to be physically present, the respondent may object to the use of videoconferencing for witness testimony and the court must sustain the object and require the witnesses to appear in person. The statute as currently written applies to all witnesses; it does not differentiate between fact witnesses and expert witnesses.

However, there is legislation pending ([2025 Assembly Bill 447](#)) that would amend Wis. Stat. § 885.60(2)(d) to allow a circuit court to exercise its discretion in determining whether to allow an expert witness in a Chapter 51 or Ch. 55 proceeding to appear by videoconference. The court’s discretion would be based on twelve criteria found in Wis. Stat. § 885.56(1), the same criteria currently used for a decision on witnesses appearing by video in other types of proceedings. The legislation limits the court’s discretion to expert witnesses only – a respondent’s objections to fact witnesses appearing by videoconference must still be sustained. AB 447 is currently under review by the Assembly Judiciary Committee and the Senate Judiciary and Public Safety Committee. □



Happy autumn! Photo credit: Polly Shoemaker

