

# CURRENT AND EMERGING ISSUES IN ELDER LAW

## PROGRAM CHAIRS

**Jane E. Meadus**  
Staff Lawyer, Institutional Advocate,  
Advocacy Centre for the Elderly

**Alexander Procope**  
Perez Bryan Procope LLP

## REGISTRATION OPTIONS

**April 11, 2024:**  
Online (Live)  
9:00 a.m. – 4:45 p.m. ET

OR

**May 9, 2024:**  
Online (Replay)  
9:00 a.m. – 4:45 p.m. ET

***Can't make the date?**  
Registration includes 120-day  
unlimited, online access to the  
recorded program.*

**Register today at:**  
[osgoodepd.ca/  
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A program for legal advisors, health professionals  
and others who work with older persons.

Get up-to-date information and insight from a faculty of experts in  
elder law, who will guide you on the latest legal developments in  
this complex area, including:

- The aging process and recognizing and combating ageism
- Understanding how ageism and ableism interact and can result in discrimination of clients and other older adults
- Tackling mortgage fraud and financial exploitation
- The use of NOSIs in Ontario: what you need to understand
- The new framework for transitioning from hospital to long-term care under *Bill 7*
- Litigating negligence claims against caregivers for abuse and neglect
- Red flag issues in family law when assisting elder clients with equalization and spousal support
- The latest on capacity, substitute decision-making and health care consent

# CURRENT AND EMERGING ISSUES IN Elder Law

Today more than ever, health professionals and legal advisors encounter a challenging array of legal and regulatory issues when working with older persons including ageism, financial abuse, consent and capacity, family law matters, transitioning to long-term care and more.

Failure to understand the current pressing issues and the latest developments, along with the associated risks and your obligations can lead to significant personal and organizational risk. This intensive one-day program will provide important updates as well as practical advice to help you manage the legal issues involved with older persons.

## Topics Include

- How the 2022 amendments under *Bill 7* have affected the long-term care admission process
- Parental support claims against adult children
- The authority of the Consent and Capacity board and how an application to it differs from an application to court
- What remedies are available for discrimination?
- Understanding what negligence claims are worth pursuing and the value of other complaint options
- Update on elder abuse with a focus on recent mortgage fraud cases and enforcement proceedings
- Duty to accommodate in workplaces and in the provision of services for elderly clients

## Who Should Attend

- Lawyers in private practice, practicing in the areas of elder law, health law, wills and estates, family law and estate litigation
- Health professionals
- Managers, administrators and operators of long-term care home operations
- Hospital risk managers
- Hospital administrators
- Social workers
- In-house lawyers and counsel in long-term care, retirement homes and hospitals
- Government lawyers

## Agenda

**8:30 a.m.**

**Program Log-in**

**9:00 a.m.**

### Welcome from the Chairs

**Jane E. Meadus**

Staff Lawyer, Institutional Advocate,  
Advocacy Centre for the Elderly

**Alexander Procope**

Perez Bryan Procope LLP

**9:15 a.m.**

### Accommodation, Ableism and Ageism

**Cynthia Ingram**

Piccolo Heath LLP

**Nicole Biros-Bolton**

Ross & McBride LLP

- How to identify and avoid ageism and ableism
- The duty to accommodate in workplaces and in the provision of services
- The remedies available for discrimination

**10:15 a.m.**

**Wellness Break**

**10:30 a.m.**

### Mortgage Fraud, Financial Exploitation and Elder Abuse

**Sarah Tella**

Staff Litigation Lawyer,  
Advocacy Centre for the Elderly

**Evan Snyder**

Paliare Roland Rosenberg Rothstein LLP

- Background on door-to-door consumer/home services agreements, 'micro-financing' and the use of notices of security interest ("NOSIs") in Ontario

- Update on elder abuse with a focus on recent mortgage fraud cases and mortgage enforcement proceedings
- Explore civil remedies and defences available and what support police services can provide

**11:30 a.m.**

### Discharge to Long-Term Care under Bill 7, More Beds, Better Care Act, 2022

#### Jane E. Meadus

Staff Lawyer, Institutional Advocate, Advocacy Centre for the Elderly

- How the 2022 amendments have affected the long-term care admission process
- What can and cannot be done when patients are in hospital and require admission to long-term care

**12:30 p.m.**

#### Lunch Break

**1:15 p.m.**

### Litigating Negligence Claims Against Caregivers

#### Christine Morano

Advocai LLP

#### Melissa Miller

Howie Sacks & Henry LLP

- How civil claims against institutions for abuse and neglect are evolving
- Selecting a viable case
- Basis of claims and strategical considerations
- Determining value of claims
- What is worth pursuing and the value of other complaint options

**2:15 p.m.**

### Consent, Capacity and Understanding the Consent and Capacity Board

#### Alexander Procope

Perez Bryan Procope LLP

- The authority of the Consent and Capacity Board and how an application to it differs from an application to court
- When can the Consent and Capacity Board provide an alternative to guardianship and substitute decision-maker disputes?

**3:15 p.m.**

#### Wellness Break

**3:30 p.m.**

### Family Law Issues and the Older Client

#### A. Shawn Richard

ASR Family and Estate Law

- Red flag issues in family law when assisting elder clients with equalization and spousal support
- Second marriages and protecting the older client's children
- Key issues when assisting elder parents with minor children
- Parental support claims against adult children

**4:30 p.m.**

### Wrap-Up and Q&A Discussion

#### Jane E. Meadus

Staff Lawyer, Institutional Advocate, Advocacy Centre for the Elderly

#### Alexander Procope

Perez Bryan Procope LLP

Closing out the day will be a dedicated Q&A session giving you the opportunity to ask those burning questions that have arisen from the presentations throughout the day.

The interactive format will reinforce your understanding of the issues and provide you with insights from both the presenters and your peers. You'll leave with tools and strategies for addressing the latest complex issues of elder law in your organization or work with your clients.

**4:45 p.m.**

#### Program Ends



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## Faculty

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Paliare Roland Rosenberg  
Rothstein LLP

Melissa Miller  
Howie Sacks & Henry LLP

Sarah Tella  
Staff Litigation Lawyer,  
Advocacy Centre for  
the Elderly

Christine Morano  
Advocai LLP

## Registration Details

Fee per Delegate: **\$595 + TAX**

Newly Licensed\*: **\$297.50 + TAX**

*\*This fee applies to newly licensed regulated professionals within the past 2 years*

Fees include attendance and electronic program materials. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance.

### Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

### Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days' notice, a \$75 administration fee will apply. No other refund is available.



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### MAINTENANCE OF CERTIFICATION

Attendance at this program entitles certified Canadian College of Health Leaders members (CHE / Fellow) to 3.25 Category II credits towards their maintenance of certification requirement.



This program is approved for LAWPRO Risk Management Credit.



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