



August 2009

## CHUBB REPORT

### WHAT'S GOIN' ON BY WAYNE CHUBB

I've come to realize that, while the fall is my favorite time of year, August also holds a special place in my heart. It brings the start of the NFL season – and for we Browns fans, the start is always more optimistic than the finish. The **California State Fair** opens on August 21<sup>st</sup>, and I am a closet Fair junkie. The rides, the animals, the fried Twinkies – I love it all, and can't wait to go. The second of my three must-do events this month is the **Japanese Food and Cultural Bazaar** at the Sacramento Buddhist Temple, Aug 8-9, which features the best Teriyaki chicken and tempura vegetables, bar none, in the north state. The last is **Animal Grossology** at the Lawrence Hall of Science in Berkeley, which features all manner of blood sucking and slime producing creatures at our favorite hands-on museum. The show runs through Sept. 6. Get there in the afternoon, and watch the sun set over San Francisco Bay from this incredible site.

If you haven't lost your appetite in Berkeley, there are several fruit and vegetable based fairs this month, many based on the staple of the valley, the tomato. Start with the **Woodland Tomato Festival** on Aug. 8. That is then one-upped by the **Tomato Weigh-In and Salsa Contest** in Chico the same day, and both are two-upped by the **Tomato Festival and West Coast BBQ Championships** in Fairfield on the 15<sup>th</sup> and 16<sup>th</sup>. Farther out of town is the **Berry Creek Berry Festival** on the 8<sup>th</sup>. I'm intrigued not only because we love blackberries, but also because Berry Creek is on the north fork of Lake Oroville, in an area known more for other types of, er, crops. Don't sneak off to "pick your own" ... Of course, you won't want to miss the **Hayward Zucchini Festival** on Aug 15-16, because you can never have enough zukes!

Not interested in the State Fair, and prefer yours a little smaller? How about the **Yolo County Fair** in Woodland on Aug 19-23, the **Plumas-Sierra County Fair** in Quincy (celebrating its 149<sup>th</sup> year!) Aug 13-16, or the **Nevada State Fair** in Reno on Aug 26-30?

But suppose none of this floats your boat. Is there anything else to break up the dog days? Well, yeah. Go move the junk in your trunk at the **George Na'ope Kane and Keiki Hula Festival** in, naturally, Modesto, August 8-9. Or you can shake it at the **Reno-Tahoe Blues Festival** in Reno, the **Brews, Jazz and Funk Fest** at Squaw Valley, or the **Sutter Creek Ragtime Festival**, all on Aug 14-6, and the **Cajun Zydeco Festival** in Fremont on the 22<sup>nd</sup> and 23<sup>rd</sup>.

But maybe you would rather slow things down a little. Try the **Sacramento Gem Faire** at the Scottish Rite Center in Sacramento on Aug 14-16, just don't let Heather know about it. Get out of the heat and head to Portola, north of Truckee, for the **Portola Railroad Days** celebration on August 21-23, which is the only place I know of where you can drive your own diesel engine – yes, a real, full-sized one. Relive your childhood in Oakland and San Jose on Aug 12-23 as **Ringling Bros and Barnum & Bailey Circus** – again, the real, full-sized one, comes to town. Or you can head to Pleasanton on Aug 21-23 for the **Goodguys West Coast Nationals** car show, one of the west's largest with over 1000 classic cars and hot rods. I've taken the boys to both this and the one at Cal Expo, and you won't run into a nicer group of people who are extremely eager to show off their cars, especially to kids - highly recommended.

All of which brings us to Labor Day Weekend. In addition to the close of the State Fair (there I go again), Sacramento also offers the three day **Greek Festival** (food, music, and art) at the Convention Center, and Old Sacramento turns back the clock to the 1850's during **Gold Rush Days**. Earlier in the week, actress **Betty White** will host a reception and fundraiser for the new Giraffe House at the Sacramento Zoo, September 3<sup>rd</sup>.

Until September, boogie down, and go Browns!

## DIY Corner—Vacation! BY HEATHER R. CHUBB

We had a wonderful, but short, vacation and came back relaxed and ready to get back to things. Here are a few pictures of our adventures in Legoland and SoCal. We flew into Orange County airport and if you have never taken off there it is something else—nearly straight up with engines at full velocity. Carson called it “very unusual” — after I peeled his hands off my arms.



View from the deck—a 2 minute walk and we are on the beach.



Surf's up!



Owen wasn't too keen on being high in the air. . .



. . . But he thought the giant statue of John Wayne was cool.



I'm a really good driver mom, honest!



Big brother's at the wheel. Little brother's not so sure.



Owen checks out the streets of San Francisco.



So, where does Carson get his camera hamminess from?



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## What Doctors Won't Tell You BY HEATHER CHUBB

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Well, OK they will tell you but no one else because they are shackled by a law called HIPAA.

If you haven't come across this term you are either lucky or just didn't realize it affected you. HIPAA – the Health Insurance Portability and Accountability Act – has noble goals, one of them being to protect your healthcare and medical information from prying eyes. As you might have figured out, as lofty as its goals are this law really doesn't work the way it was meant to. But the problem with the application for most of us IS-N'T that someone will be able to get the information, but rather that the people that you want to have it WON'T be able to have access, unless you put them on the list

The law itself actually allows (but it is not mandatory) certain classes of people access, your spouse, your kids, your parents – makes sense these are the ones you really want, BUT the law is one thing and practice and implementation are another. Hospitals and insurance companies in order to limit their liability (did I mention that violations carry hefty fines for unauthorized disclosure?) have taken a hard line – if it's not you, they won't release the information.

So what kind of information are we talking about? Ever have a problem with an insurance claim or medical charge? Have trouble deciphering your EOB (explanation of benefits)? Want to talk with your spouse's doctor? Want to straighten out an insurance error for your spouse? Want to find out what hospital room your father is in? That's all protected medical information.

I had my own eye-opening experience with HIPAA when my mother-in-law was in ICU at the end of her battle with cancer. My father-in-law (who was her agent under her Advance Healthcare Directive) was too distraught to make many of the necessary decisions, but the doctor wouldn't share critical information with either Wayne or his sister Holly due to concerns about violating HIPAA. He finally made a wink-wink agreement to share info with Holly who, as a PhD in microbiology, became a "consulting doctor". This can be tough to do if you don't have a relative who is a doctor handy.

**Unfortunately, this is not an unusual occurrence.**

Although HIPAA was signed into law in 1996, proposed regulations didn't appear until 1999 and were not approved until 2000 with major changes in 2002. The Privacy Rules were not enacted until April 2003. Because of this delay lawyers didn't really start including HIPAA language until about 2004.

If your Advance Healthcare Directive is **more than 6 years old** it won't include HIPAA language. I have also seen Healthcare Directives created in the last 3 years that did not include HIPAA language.

### So what can you do?

- Make sure your Advance Healthcare Directive includes HIPAA language so your agent has access and can carry out their job helping you.
- Have a standalone HIPAA Release to authorize not only your healthcare agent but other hand selected people to access your information.

Oh, and one last thing – make sure the powers given to your healthcare agent and included in your HIPAA Release become effective when you sign the documents. When you need someone to help with medical issues it really doesn't make sense to make them jump through hoops.

We can take care of this for you. Just call Ashley at 916.635.6800 to make an appointment. And while you are at it we can make sure the rest of your plan is up to date as well.

*Written by Heather R. Chubb, Personal Family Lawyer, speaker, and MOM. Heather makes it easy for your family to talk about and plan for tough subjects like money, death and taxes, and other life transitions. Visit her online at [www.chubblawfirm.com](http://www.chubblawfirm.com).*

### Thank You for Your Referrals

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Brandi Sidley  
John Feliz

Thank you soooo much!



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We just got back from our vacation—4 days in SoCal staying at the beach (thanks Dave and Dottie!) and going to Legoland. Legoland was pretty fun, but we discovered [1] the kids didn't really like going on the rides—couldn't get them near any of the roller coasters and [2] we are just not theme park people. Fortunately Legoland was not very crowded, the lines for the few rides we went on were not very long except for the sky coaster—1 hour + for a very disappointing 4 minute ride, and there was moderately decent food that didn't totally break the bank. At the end of the day we asked the kids what they wanted to do the next day—come back to Legoland or go to the beach. The beach! The beach! Was the resounding answer. Sounded good to us (and cheaper, too) and it wasn't too surprising since we also asked them what the best thing about Legoland was and they said buying Legos.

So for the next 2 days we went to the beach. Carson set aside his inhibitions and learned to body surf—after being totally scared and against it—and we couldn't get him out of the water. I have included a few pics for you to enjoy on page 2 so open up and take a look.

I hope your summer is going well and you are getting away for some well deserved down time. During our stay I can honestly say I didn't think about work and it was very relaxing. We all need to recharge our batteries once in a while just to stay sane in this crazy world. Our trip also prompted Wayne and me to do something that had been on my list for a while—update our estate plan. I felt just like one of my clients and was just as surprised to see how many of our decisions needed to be changed. It's like I tell my clients, you can't do your plan once and hope that it will work for you for all time. An estate plan is created based on a snap shot of your current situation overlaid by some really good guesses. The only thing that is certain is that our lives will change. Perhaps like me the people you have chosen have become a smaller part of your life and are no longer appropriate for the job you assigned them. Make sure that your wishes really are carried out by your best choices. So, what's in your estate plan?

All my best,

Guiding You and Your Loved Ones Through All of Life's Transitions<sup>SM</sup>

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