

THE ALERT

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Ohioans Will Have to Wait Until March 1 To Get Free Credit Reports Under New Law

Ohioans will have to wait until March 1, 2005 to get the free credit reports required by a law passed by Congress last year.

The Federal Trade Commission (FTC) has ruled that different parts of the country will begin getting free reports under a staggered schedule.

Western states will be eligible for the free reports on December 1. Ohio and other Midwestern states are in the second group that becomes eligible next March.

Reports are free now only if you have been denied credit, insurance or employment because of your credit standing. If you are on a public assistance program or you are unemployed and plan to look for a job within 60 days, you also are eligible now to get free credit reports.

For others, reports now cost about \$9 each from the three major credit bureaus.

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Get Drug Card Now

If you are a senior on Medicare without prescription drug coverage and have an income of \$12,569 (\$16,862 for a couple), you must apply for a Medicare discount drug card before the end of the year to qualify for a \$600 credit toward drug purchases. If you do not apply, you will lose the \$600 worth of free drugs for this year. If you don't use all of the \$600, the balance may be carried over to 2005.

You will be eligible for another \$600 credit for drug purchases next year, but only if you apply before March 31, 2005. After March 31, the \$600 credit will be prorated so that you get only \$450 for applications between April 1 and June 30, \$300 between July 1 and Sept. 30 and \$150 between Oct. 1 and December 31.

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Under the new law, credit reports from the three bureaus or agencies will be available once a year to all for free.

The FTC regulations which will be effective on December 1 require set up of a centralized source that will allow consumers to request their free annual file disclosures from each of the nationwide consumer reporting agencies through a single website, one toll free telephone number and one postal address.

The new Fair and Accurate Credit Transactions Act also provides that information about credit scores (different from the credit reports) must be provided to consumers for a "fair and reasonable fee."

Credit scores are used to determine whether people can get car or house loans and credit cards and on what terms, whether they will be hired for a job, can buy insurance and even rent an apartment.

The new law also requires nationwide specialty consumer reporting agencies to maintain a toll-free telephone number for consumers to request their free annual file disclosures.

The specialty firms are required to make their reports available after December 1.

Specialty agencies

required to provide annual file disclosures are those which keep information on medical records or payment, residential or tenant history, check writing history, employment history or insurance claims.

You may not be aware of it, but most everybody has their credit payment history and other information recorded by the major credit bureaus and the specialty consumer reporting agencies.

If you ever applied for a credit or charge account, a personal loan, insurance or a job, there is a record on you

It is important to know what is in your file.

on file.

It contains information about your income, debts and the history of how you pay your bills. It also indicates whether you have been sued, arrested or have filed for bankruptcy in the past 10 years.

It is important to know what is in your file.

For one thing, it may have errors that can affect whether you can get a loan or credit in the future.

If your record is wrong or not complete, you can file a dispute with the credit bureau by writing to it.

The credit bureau and whoever furnished the incorrect or incomplete information are legally required to reinvestigate the matter you dispute.

With the rise in identity theft (More than 9.9 million people had their identities stolen last

year), it is important to check credit reports on a regular basis.

Identity theft occurs when someone "steals" your identity and opens credit card accounts in your name or uses your credit card number to make purchases.

You may not even be aware your identify has been stolen because the thief has the bills sent to a different address.

The thief, of course, will not be paying those bills. So the delinquent account will show up on your credit report.

If it is an account you have not opened, finding out about it will allow you to challenge the charges made under your name.

One way thieves steal your identify is to "borrow" your Social Security number, your bank account or credit card number or other identifying information.

You should never give your Social Security number or bank account number to people who call you on the telephone.

Greater Clevelanders, including seniors, recently have been the object of a scam in which the telephone caller pretends to be from your bank and asks for your account number. Remember that the bank already has your number and would never call you on the phone and ask you for it.

If you are asked for such information, just hang up the phone.

Law Makes it Easier for Grandparent Caregivers to Register Grandchildren in School and to Make Medical Decisions

A new law makes it easier for grandparents to enroll grandchildren in their care in school and to make medical decisions for them.

Getting basic services has been a problem for grandparent caregivers who don't have legal custody.

Their numbers have increased by 14% in the last 10 years, according to the U.S. Census. An estimated 157,000 youngsters in Ohio are being raised by their grandparents.

The law, which became effective this summer, allows a grandparent to make school and medical decisions without getting legal custody of the child.

Grandparents will be able to get the authority to deal with school and medical matters in one of two ways.

The first method provides for a parent or parents to sign a Grandparent Power of Attorney granting the rights to the grandparent.

The second is for the grandparent to sign a Caretaker Authorization Affidavit.

Power of Attorney

The parent (or guardian or custodian) can give the grandparent, with whom a child lives, rights and responsibilities regarding

the care, physical custody and control of the child, including enrolling the child in school and getting school information and the right to consent to medical, psychological or dental treatment for the child.

The Power of Attorney does not affect the future legal rights of the parent and does not grant legal custody.

It may be used where a parent is seriously ill, in jail or about to be jailed, temporarily

Grandparents can get the authority to deal with school and medical matters in one of two ways.

unable to provide adequate care and supervision of the children because of the parent's physical or mental condition, homeless or without a home because the current home was destroyed or is unlivable, or is about to enter a residential treatment program for substance abuse.

The Power of Attorney may be used where the other parent is dead, cannot be located, is prohibited from receiving a notice of relocation or has had parental rights terminated by the juvenile court.

If none of the above apply, the parent who does not have custody must be notified about the Power of Attorney

When the parents are married and living together,

there is a shared parenting order, and under certain other circumstances both parents must sign the Power of Attorney.

The Power of Attorney ends after one year. It also ends at any time if the parent signing it revokes it in writing, if the child stops living with the grandparent, if the court orders it ended or the child or grandparent dies.

The Power of Attorney must be signed by both the parent and grandparent, must be notarized and filed with the Juvenile Court in the county where the grandparent lives or with any other court that has jurisdiction over the child.

Caretaker Authorization Affidavit

When a grandparent has made a reasonable attempt to locate and contact both of the child's parents and has been unable to do so, the grandparent may get authority to care for and control the child. The authority includes the power to enroll the child in school and to handle school matters, as well as to consent to medical, psychological or dental treatment of the grandchild who is living with the grandparent.

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The grandparent may sign a Caretaker Authorization Affidavit to get the power.

The grandparent does not need to try to notify the father if paternity has not been established or notify the mother or father if a court has ordered that he or she not get notice of relocation or parental rights have been terminated by the Juvenile Court.

The Caretaker Authorization Affidavit may not be used for the sole purpose of switching to a school so the child may participate in that school's academic or interscholastic athletic programs.

The grandparent's signature on the Affidavit must be notarized and the Affidavit must be filed with the Juvenile Court or any other court that has jurisdiction over the child.

Any decision made by the grandparent with respect to schooling or medical care may be overridden by a parent unless the life, health or safety of the child would be jeopardized.

There are circumstances under which the Affidavit will not work.

For instance, an affidavit may not be done if a divorce, dissolution, legal separation, annulment or allocation of parental rights and

responsibilities regarding the child is pending or a proceeding for appointment of a guardian for or adoption of the child is pending.

An affidavit will not affect the rights and responsibilities of the parent

It will be good for one year or until the child moves out of the grandparent's home, the parent objects to an action taken by the grandparent or the child or grandparent dies or a court ends it.

In Cuyahoga County the forms for the Power of Attorney or Caretaker Authorization Affidavit may be picked up from the clerk of the Juvenile Court at the Annex Building at 2163 East 22d St.

After the form is completed, Legal Aid will provide assistance by notarizing it on the second floor at 1223 West Sixth St., Cleveland. In other counties, call the local Legal Aid office listed on Page 5 for information.

Energy Assistance Available to Seniors

Financial assistance is available for low-income seniors and others to help pay heating bills under the Home Energy Assistance Program (HEAP).

To be eligible for HEAP for the 2004-05 heating season, annual household income for a single person may be up to \$13,965; for two people up to \$18,735, three people up to \$23,505. For each additional person add \$4,770.

Applications for HEAP were mailed in August to those who qualified last year. The applications for others are expected to be available in mid-September. Application forms will be available at some post offices, the Council for Economic Opportunity, libraries and community and senior centers. They also will be available from the Cuyahoga County auditor's office.

The application period for HEAP is November 1 through March 31, 2005.

To make an appointment to file a HEAP or other energy assistance application, you may call 216-518-4014 after mid-October in Cuyahoga, Lake, Geauga and Ashtabula counties. In Lorain County, call 440-245-2009.

Homebound seniors in Cuyahoga County may call 216-263-6266, Ext. 223 to schedule a home visit for energy assistance.

Seniors 65 or older with disconnect notices and in need of emergency assistance may go to the Council for Economic Opportunity Office at 1869 Prospect Ave. for help.

CORRECTION

In the last issue of The Alert, there was a typographical error in the dates of one series of U.S. Savings bonds that have stopped earning interest.

It should have said HH bonds issued January 1980 through May 1984 (not 1974) are no longer earning interest.

SENIOR CITIZEN CENTERS AND LEGAL AID OFFICES

CUYAHOGA COUNTY

To find out if we can help you,
 call 216-687-1900 from 9 to 11:30 a.m. and 1 to 4:30 p.m. weekdays
 Seniors with a legal question for an attorney may phone 216-687-1900
 on Tuesdays or Thursdays between 1 p.m. and 4:30 p.m.

EAST SIDE

WEST SIDE

Buckeye Senior Center
 11802 Buckeye Road
 216-491-8450

Martin DePorres Center
 1264 East 123 Street
 216-268-3909

Lakewood Office on Aging
 16024 Madison Avenue
 216-521-1515

Fairhill Institute
 12200 Fairhill Road
 216-421-1350

May Dugan Center
 4115 Bridge Avenue
 216-631-5800

Metro Health Hospital
 2500 Metro Health Drive
 216-778-5551

Goodrich-Gannett Center
 1368 East 55 Street
 216-432-1717

Murtis H. Taylor Center
 13422 Kinsman Avenue
 216-283-4400

Parma Senior Resource Center
 7001 West Ridgewood
 440-885-8155

Helen S. Brown Senior Center
 16100 Euclid Avenue
 216-761-8410

Stella Walsh Recreational Center
 7345 Broadway Avenue
 216-441-0111

**DOWNTOWN
 LEGAL AID OFFICE**

Hough Opportunity Center
 8555 Hough Avenue
 216-421-5400

Woodland Branch
 Cleveland Public Library
 5806 Woodland Avenue
 216-623-7109

Downtown Legal Aid Office
 1223 West Sixth Street
 216-687-1900
 Toll Free: 1-888-817-3777

Maple Heights Senior Center
 15901 Libby Road
 216-587-5481

For information or to make appointments outside Cuyahoga County
 phone the offices listed below

LAKE COUNTY

Lake-Geauga Legal Aid, 8 North State Street, Painesville, OH 44077
 440-352-6200 or TOLL FREE 1-888-808-2800

LORAIN COUNTY

The Legal Aid Society of Lorain County, 538 West Broad Street, Elyria, OH 44035
 440-323-8240 or TOLL FREE 1-800-444-7348

ASHTABULA COUNTY

Ashtabula County Legal Aid, 121 East Walnut, Jefferson, OH 44047
 440-576-8120 or TOLL FREE 1-866-873-9665

**The Legal Aid Society
of Cleveland
1223 West Sixth Street
Cleveland, Ohio 44113**