



OFFICE OF THE IDAHO ATTORNEY GENERAL



CONSUMER PROTECTION MANUAL **OLDER ADULTS**

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**A message from
Attorney General
Raúl R. Labrador**

Older adults often encounter consumer, financial, and planning issues unique to their stage of life. This manual provides information about some of these issues, resources for how to deal with problems, and suggestions on where to go for further assistance.

Many older Idahoans contact my office regarding consumer fraud. While a serious problem, consumer fraud is often preventable with education. Informed consumers are Idaho's best defense against consumer fraud.

I am committed to working with you to prevent fraud and vigorously enforce Idaho's consumer protection laws. As a consumer, you can protect yourself by understanding your rights and by making informed and intelligent decisions.

I hope this publication makes you feel more confident about dealing with consumer issues and I encourage you to share what you learn with others.

Contents

Consumer Protection	4
The Idaho Consumer Protection Act	5
Protect Yourself from Consumer Fraud	6
Online Shopping	7
Addressing Problems	8-11
Other Consumer Protection Resources	11
Scams	12
Scams and Fraud	13
Six Signs of a Scam	14
Scams Targeting Older Adults	15-16
Reporting Scams	17
Unwanted Calls	18
The No Call Laws	19
Reducing Unwanted Calls	20
How to Handle Scam or Criminal Calls	21
Identity Theft	22
What is Identity Theft?	23
How Can You Protect Yourself From Identity Theft?	24
What Should You Do If It Happens to You?	25
Financial Wellness	26
Maintain Financial Fitness	27
Protecting Your Home	28-30
Investment Fraud and Scams	31
Getting Help	32
Health Care	33
Health Care Plans	34
Discount Health Plans	35
Choosing a Doctor	35
Health Care Facilities and Nursing Homes	36
Prescription Drugs	37
Hearing Aids	38-40
Planning Ahead	41
Estate Planning	42
Living (Revocable) Trusts	43-44
Estate Planning Advice	44
End of Life Health Care Planning	45-46
Helpful Contacts	47



CONSUMER PROTECTION

Everyone is a consumer. We all buy, lease, or rent goods or services. In a perfect world, you would never have a disagreement with a business but it's not a perfect world.

Several federal and state agencies enforce laws that protect Idaho consumers. This handbook discusses some of these laws, provides you with information on how to protect yourself from fraud, and lets you know who to contact if you need assistance.

The Idaho Consumer Protection Act

What is it?

The Idaho Consumer Protection Act (ICPA) is an Idaho law that protects consumers and businesses against unfair methods of competition and unfair or deceptive business practices. You can read the law [here](#).

Who enforces it?

The Attorney General's Consumer Protection Division enforces the ICPA on behalf of the State of Idaho. The Idaho Legislature also authorized the Attorney General to make rules regarding the law. You can read these rules [here](#).

When does the Consumer Protection Division investigate?

The Consumer Protection Division investigates complaints alleging ongoing patterns of illegal activity in trade and commerce, with emphasis on the most serious cases involving widespread harm to Idaho consumers.

By law, the Consumer Protection Division can't provide legal advice, opinions, or representation to private individuals or businesses. The Attorney General represents the State of Idaho, not the interests of private individuals.

It's a Civil Matter

The ICPA is a civil statute – not a criminal one. The Attorney General's Office doesn't decide if a business violated a consumer protection law. That decision is left to the courts.

Someone found guilty of breaking the law by the court will not be sent to jail. However, they might be fined, lose their license, or be prohibited from operating a business in Idaho.

Protect Yourself from Consumer Fraud

Have you ever heard, “Measure twice, cut once” or “An ounce of prevention is worth a pound of cure?” This advice holds true in consumer matters. Consider these tips for consumer survival before making a major purchase.

01

If it seems too good to be true, it probably is.

03

Get it in writing! Insist that all claims, promises, and warranties be in writing.

05

Cool off for a day before you buy. In most cases, you don't have the right to change your mind after purchasing.

07

Obtain written estimates before having any repairs made.

09

Keep receipts, sales slips, and warranties for as long as you own the product.

02

Do your research! Read. Ask questions. Comparison shop.

04

Never sign anything you haven't read or don't understand.

06

Never give your credit card or checking account number to a telephone or mail solicitor if you don't know the company.

08

Know who to call for help. Check with our office or your local Better Business Bureau.

10

Don't be intimidated. It's your money and you can take your business elsewhere.

Online Shopping

Online shopping allows us to research products, compare prices, and read reviews from almost anywhere. However, it carries unique risks. The following can help make your online shopping experience safer.



Use secure Wi-Fi

Free public Wi-Fi is convenient but it's not always safe. Use your phone's mobile data or wait until you get home and can use your own Wi-Fi to make a purchase.

Pay with a credit card

Credit cards provide protections not available with other payment methods. Merchant requests for payment by wire transfer, gift card, cryptocurrency, or an application such as Cash App, Venmo, or Zelle are red flags for potential fraud.

Know the company

Setting up an online business or buying advertising on social media sites is easy. Search online for the product or company name plus "complaint" or "scam" to see what other people are saying.

The federal Mail, Internet, or Telephone Order Merchandise Rule requires merchandise purchased by those methods be delivered within 30 days, unless otherwise indicated. The company must notify you if the merchandise cannot be delivered within that time frame.

Addressing Problems

Despite your best efforts, at some point, you may end up having a problem with a business. If you become involved in a transaction you believe violates the ICPA, gather all the written information you have relating to the problem. This may include ads, brochures, contracts, letters, warranties, and other documents. Write a short statement about what happened to you. Include the name of the company, how much money you paid, how much you owe, with whom you spoke, when the transaction took place, names of witnesses, and other important information. This information will help as you attempt to fix the problem.



Call or Visit the Business

- Be prepared. Compile all the information you will need to explain the problem.
- Speak to the person with the authority to grant the remedy you desire and make note of his or her name.
- Be polite but firm.
- Concisely state the problem and the resolution you would like.
- Conclude the call or visit by restating what has been agreed.
- Write a letter to confirm the conversation and the specifics of any agreement.



Write to the Business

- Write a neat business letter, typed, if possible.
- Address it to the person with the authority to grant the resolution you desire.
- Supply the necessary facts, including identification of the goods, what happened, your previous attempts to get satisfaction, the resolution you desire, and any serious consequences you have suffered because of the problem.
- Maintain a calm, rational tone.
- Request specific action by a specific date.
- Keep your letter short.
- Enclose copies (not originals) of receipts, contracts, or other relevant information.
- Make a copy of your letter and save it.
- Send the letter certified mail with return receipt requested.

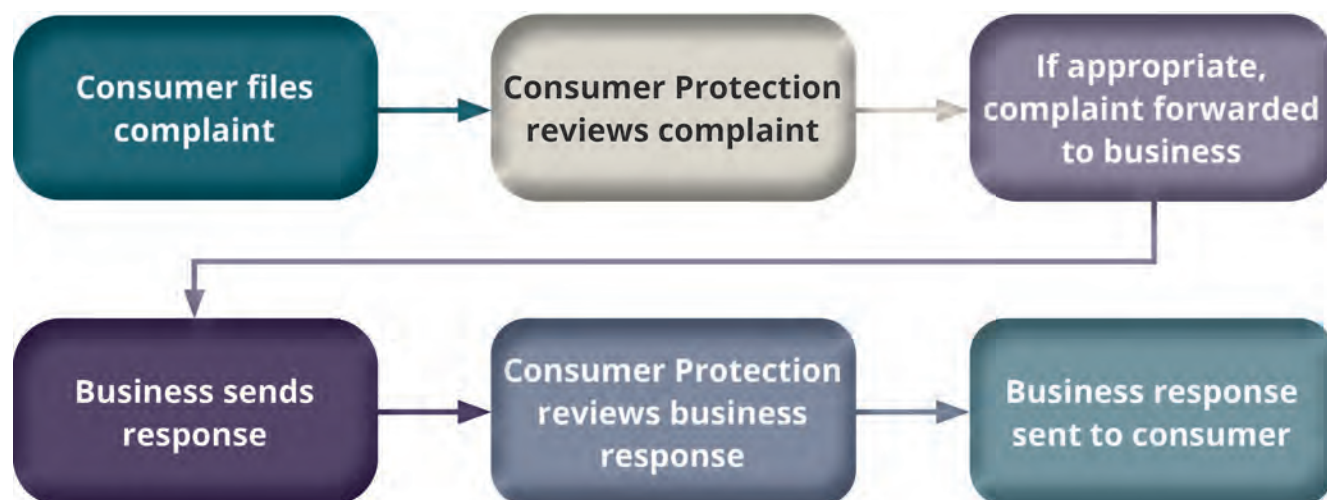
Addressing Problems

File a Complaint with our Office

Sometimes a consumer and business find it hard to communicate directly. Or, your contact with the business may have been unsuccessful. The Consumer Protection Division offers informal dispute resolution to help in these situations. This process relies on the voluntary cooperation of the business and the consumer.

Consumer specialists in the Consumer Protection Division act as a “go between” or buffer for the parties. We receive many complaints so almost all dispute resolution is done by correspondence. You can file a complaint on the [Attorney General's website](#) or call our office at (208) 334-2424 and request a mailed complaint form.

Consumer Complaint Process



Dispute resolution often resolves a consumer's complaint – but not always. A business might disagree with your account of what happened or may not respond. When dispute resolution isn't successful, you may choose to talk with a private attorney and consider private legal action.

Addressing Problems



File a Private Lawsuit

Consumers can file a private lawsuit if they believe they have fallen victim to deceptive trade practices.

Losses up to \$5,000 — Small Claims Court

Small Claims Court is the cheapest way to sue a business.

Every Idaho county has a Small Claims Court. You must file in the county where the defendant resides or in the county where the dispute occurred. The [Idaho Court Assistance Office & Self-Help Center](#) provides information on filing in Small Claims Court and forms for doing so.

Lawyers cannot speak for you in Small Claims Court. However, before you decide to sue a business, you may wish to consult with a private attorney on how to proceed with a private cause of action.

Losses greater than \$5,000 — District Court

Filing a lawsuit under the ICPA requires filing in district court. Most consumers find the advice of a private attorney helpful before filing a lawsuit.

If you sue a business in district court and the court finds in your favor, the court may award:

- A minimum recovery of \$1,000;
- Recovery of attorney's fees; and,
- At the judge's discretion, costs and punitive damages upon showing a violation of the ICPA or the Rules of Consumer Protection and a loss to the consumer.

Don't Delay!

Consumers who suffer a loss because a business violated the ICPA generally have two years to file an action or lawsuit.

Addressing Problems

Additional Damages for Older Adults

Idaho law allows consumers who are at least 62 years old or are disabled to recover additional damages from an individual who violates the Consumer Protection Act.

Elderly and disabled consumers are entitled to receive the greater of \$15,000 or triple the amount of actual damages if the court finds:

1. The offender knew or should have known that the victim was elderly or disabled; and
2. The offender's conduct resulted in the loss or encumbrance of the elderly or disabled victim's home or the loss of more than 25% of the victim's income, money, or retirement funds.



Other Consumer Protection Resources

Our office publishes an Idaho Consumer Protection Manual in English and Spanish. This manual provides expanded information on consumer protection topics such as contracts, door-to-door sales, purchasing a motor vehicle, sales practices, and more. You can find the manual on our [website](#).

If you have questions about consumer protection topics, we invite you to call our office at (208) 334-2424 or toll-free in Idaho at (800) 432-3545. If we can't answer your question, we will refer you to someone who can.



SCAMS

Our office hears from Idahoans daily about scams. Identifying scams before you become a victim is best because once money is lost to a scammer, that money is almost impossible to recover.

Older adults are popular targets for scammers. After working and saving throughout your life, you are likely to have more money for a scammer to steal than younger people do.

Scams and Fraud

What is a scam?

A scam is an attempt to take something from you using deception or lies. Scammers may try to get your money, but they also steal personal information such as Social Security, Medicare, or bank account numbers.

How do scammers contact potential victims?

Scammers will use whatever is at their disposal to contact their target. Scams are often associated with phone calls, but scammers may also knock on your door, email, send a text, or direct message you through a social media platform.

What are the signs of a scam?



Fortunately, scammers often use the same tricks. If you know these tricks, you can spot a scam and walk away from the encounter with your money and personal information intact. Some scams have all the signs on the next page, while others may have only one or two.

Six Signs of a Scam



Surprise!

Scammers contact you unexpectedly. They do this to catch you off guard.



Hurry!

Scammers pressure you to act quickly and before you can think through what's happening. Slowing the situation down is always best.



What's your number?

Scammers will ask for personal information like your Social Security or Medicare number, birth date, or credit card number. Never disclose personal information without independently confirming who you are dealing with and why they need it.



Pay up!

Scammers will ask for money and may demand you pay in ways that make it almost impossible to recover your loss. Examples of unusual payment methods scammers use include gift cards, wire transfers, cash, cryptocurrency, or direct payments through an application like Cash App, Venmo, or Zelle.



Shhh...it's a secret

Scammers will tell you to keep everything secret. They don't want you talking with someone who might see through their lies.



It's too good (or too bad) to be true

Scammers will tell you something amazing or terrible happened. If anyone contacts you and claims you've won the lottery (or someone is coming to arrest you), it's almost always a scam.

The Gift of a Scam

Gift cards are one of fraudsters' preferred payment methods. Scammers direct victims to specific stores, and often multiple locations, to buy specific types of gift cards. They then ask the victim to give them numbers off the back and drain the money from the card. Some of scammers' favorite gift cards are Target, Google Play, Apple, eBay, and Walmart.

No legitimate business or government agency will ask, demand, or require you pay them with a gift card. Gift cards are for gifts only – **not payments.**

Common Scams

Targeting Older Adults

Seniors often report the following scams which can result in lost money and stolen personal information. As you read these scenarios, think about what signs of a scam each one meets.

Grandparent Scam

You receive a surprise call from your grandchild. They're crying and say they are in trouble in a foreign country. They ask you to wire money immediately to help them. You can't tell anyone, or they will be harmed.

Scam Signs



Surprise



Hurry



Pay Up



Secret



Too Good/Bad

Tech Support Scam

You're on your computer and suddenly an alert appears on the screen. It says you have a virus and need to call tech support immediately at the number listed. You call and a very helpful individual accesses your computer remotely after you give them your credit card number. Later you discover that a virus was added to your computer by this person, and they stole personal information from your files.

Scam Signs



Surprise



Personal Info



Pay Up

Prize/Sweepstakes Scam

You're contacted unexpectedly with the amazing news that you've won the grand sweepstakes prize. To claim your money, you must act quickly and pay taxes on the winnings. Everything is confidential until the prize is announced so you can't tell anyone.

Scam Signs



Surprise



Hurry



Pay Up



Secret



Too Good/Bad

Common Scams

Targeting Older Adults

Online socializing is everywhere, and almost everyone does it. This has led to older adults reporting that they have encountered, and in many cases fallen victim to, the scams below.

Romance Scam

Online dating is common – and not just for young people. Your spouse passed away last year and you’re ready to start dating. You “meet” a potential match online. This person is incredibly charming and completely understands you. But, they always have an excuse for why they can’t video chat or meet in person. They also asked you to keep your relationship a secret. After talking online for a few months, your new friend asks for money so they can visit you. To make it easy, you can send the money to their Venmo account.

Scam Signs



Pay Up



Secret



Too Good/Bad

Family/Friend Impersonator Scam

An old friend contacts you on social media to share that they received a huge government grant for just a small fee. They offer to connect you to the person who helped them. You email their contact who asks for your Social Security number and payment for an application fee. You aren’t suspicious because your old friend wouldn’t lie to you. You later learn your friend’s account was hacked by a scammer.

Scam Signs



Surprise



Personal Info



Pay Up



Too Good/Bad

Reporting Scams



We hope you never become a scammer's victim. But, if you do, it's important to report it. Please don't be embarrassed. Scammers are very good at what they do and know how to convince someone that what they are saying is true. Unfortunately, it is hard to recover money lost to a scammer but reporting scams may help others from becoming victims.

Where do I report a scam?

Local Police. If you lost money to a scammer, file a police report with your local police.

Federal Trade Commission. The Federal Trade Commission is the federal agency that protects consumers from unfair and deceptive acts and practices. You can report fraud to the [Federal Trade Commission online](#) or by calling (877) 382-4357.

The Federal Trade Commission is also where you should report lost personal information that could result in identity theft. You can do that online on their dedicated [Identity Theft website](#) or by calling (877) 438-4338. When you file your report, you will receive a recovery plan based on your specific situation.

The FBI's Internet Crime Complaint Center (IC3). If you are victim of an internet crime, report it to the [FBI's Internet Crime Complaint Center website](#).

United States Postal Inspection Service. Scams and fraud that happen through the mail can be reported online to the [U.S. Postal Inspection Service](#) or by calling (877) 876-2455.



UNWANTED CALLS

Do you feel dread when the phone rings? Unwanted calls are a common complaint our office receives. We share your frustration with how often these calls occur. There are steps you can take to reduce unwanted calls, but some calls are more easily dealt with than others.

The No Call Laws

Both Idaho and the federal government have Do Not Call laws that help reduce unwanted phone solicitations. Under these laws, it is illegal for telemarketers to call numbers registered on the National Do Not Call Registry.

How do I add my phone number ?

Register your phone numbers on the National Do Not Call Registry online at DoNotCall.gov or by calling (888) 382-1222. We recommend you add both your landline and cell phone numbers.

Does it cost money to join the Do Not Call Registry?

No, adding your phone numbers to the registry is free! And, you only have to do it once. The registry never expires.

What if I receive telemarketing calls after I register?

If your phone number has been registered for at least three months and you receive an unwanted telemarketing call, you can file a complaint with our office, the Federal Trade Commission, or the Federal Communications Commission.

Make the Ringing Stop

The Do Not Call Registry won't stop every unwanted phone call. Charities, political campaigns, debt collectors, surveyors, and information providers can call numbers on the registry. Also, companies you've recently done business with may call your number. Finally, scammers and those engaged in criminal activity do not abide by the registry.

Reducing Unwanted Calls

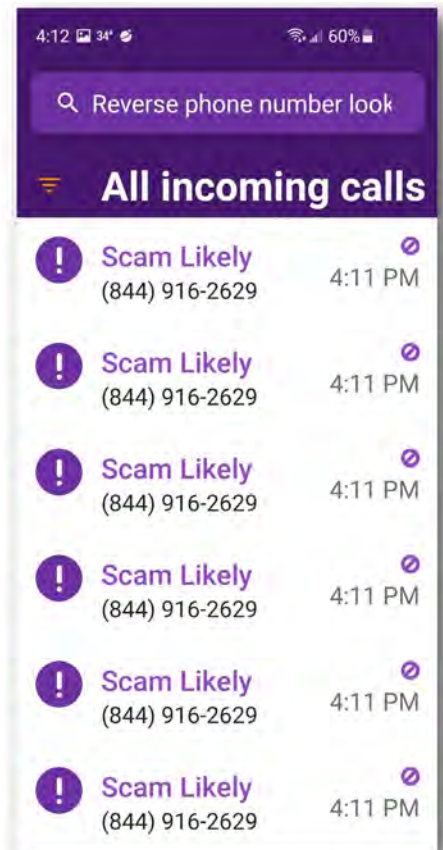
The Attorney General's Office works cooperatively with our federal partners and phone service providers to reduce unwanted calls. Below are actions you can take to cut down on unwanted calls on your landline and cell phone.

Landline

- Contact your carrier to learn what call-blocking and call-labeling services they offer.
- If your carrier is an internet or VoIP (Voice over Internet Protocol) provider, research internet-based call-blocking and call-labeling services.
- Install a call-blocking or call-labeling device. Your carrier can help with this.

Cell Phone

- Research your phone's built-in call-blocking features.
- Contact your carrier to learn what call-blocking and call-labeling services they offer.
- Download a call-blocking app. Do your research—some apps are free, but others charge a fee. Go to ctia.org for a list of call-blocking apps for [Android](#), [Apple](#), and [Windows](#) phones.



Above: Six of 41 calls—from the same number—blocked by a cell phone call-blocking app.

Some businesses regularly make sales calls. Idaho's Telephone Solicitation Act gives consumers certain rights regarding phone sales and contains rules telephone solicitors must follow. Check out our office's **[Consumer Protection Manual](#)** to learn about this law.

How to Handle Scam or Criminal Calls

Our number one tip for dealing with unwanted calls is **DO NOT ANSWER** any calls from unknown numbers. Let calls go to your voicemail. Legitimate callers will leave a message and you can return their call.

However, we understand it is not always possible to let a call go to voicemail. If you answer a call from an unknown or suspicious caller, please follow the tips below.



If a caller, or a recording, asks you to press a button to stop calls, don't.

Don't trust caller ID! Caller ID can be spoofed (faked). If you believe you've answered a spoofed number, hang up immediately.

Never give personal information to an unexpected or suspicious caller.

Hang up if a caller claims to be from a company or a government agency. Call the phone number on your account statement, in the phone book, or on the organization's website to verify the contact.



IDENTITY THEFT

In 2022, over 1,110 Idahoans filed identity theft reports with the Federal Trade Commission. Identity theft can impact your life for years after the initial theft occurs.

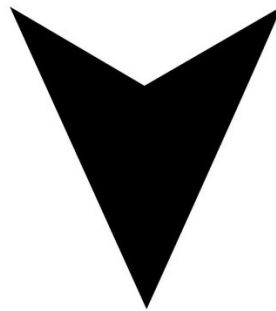
What is Identity Theft?

Identity theft occurs when someone uses your personal information without your permission. This might be your name, Social Security number, credit card number, or other identifying information.



Examples of Misuse

- Open credit cards
- Open utility accounts
- Apply for a tax refund
- Get a loan
- Apply for employment or unemployment benefits
- Get medical care



Impact on Victims



- Denial of credit/loans
- Denial of public benefits
- Denial of medical care
- Harassment by debt collectors
- Lawsuits
- Stress/anxiety
- Embarrassment
- Time/expenses spent on recovery steps

How Can You Protect Yourself From Identity Theft?

Your best protection against identity theft is to guard your personal information. Here are some tips we recommend.

- ☑ Review your mail, especially financial statements, and tear up or shred pre-approved credit card or loan offers before throwing them away.
- ☑ Protect your Social Security and Medicare numbers and don't carry your cards unless you need them.
- ☑ Never give personal information over the phone unless you verified the phone number and initiated the contact.
- ☑ Store documents securely and shred before you throw away.
- ☑ Secure your computer with firewall, antivirus, and anti-malware software.
- ☑ Change account passwords regularly and use strong passwords that utilize letters, numbers, and special characters.
- ☑ File your taxes as early as you can.
- ☑ Freeze your credit.
- ☑ Check your credit report every year. It's **FREE** at annualcreditreport.com or (877) 322-8228.



Two Birds with One Stone

Protect yourself from identity theft and reduce unwanted mail at the same time? Yes, you can!

Ask the consumer credit reporting companies to exclude your name from lists for pre-approved, unsolicited credit and insurance offers.

To find out more, visit OptOutPrescreen.com or call (888) 567-8688.

What Should You Do If It Happens to You?

If you fall victim to identity theft or think your personal information may be compromised, we suggest you follow these steps.

1

Call the companies where you know fraud occurred

- Call the fraud department and explain that someone stole your identity.
- Ask them to close or freeze your accounts so no one can add new charges unless you agree.
- Change logins, passwords, and PINs for your accounts.

2

Place a fraud alert on your name and get your credit reports

- Contact one of the three credit bureaus. That company must tell the other two.
[Experian.com/help](https://experian.com/help) – (888) 397-3742
[TransUnion.com/credit-help](https://transunion.com/credit-help) – (888) 909-8872
[Equifax.com/personal/credit-report-services](https://equifax.com/personal/credit-report-services) – (800) 685-1111
- Get your free credit reports from Equifax, Experian, and TransUnion. Go to annualcreditreport.com or call (877) 322-8228.
- Review your reports. Make note of any account or transaction you don't recognize. This will help you report the theft to the FTC and the police.

3

Report to the FTC at [IdentityTheft.gov](https://identitytheft.gov) or call (877) 438-4338

- Based on the information you enter, [IdentityTheft.gov](https://identitytheft.gov) will create your Identity Theft Report and recovery plan.

4

File a police report with your local law enforcement agency and obtain a copy of the report



FINANCIAL WELLNESS

You've saved money your entire life and now it's time to enjoy it. Looking after your financial wellness is important as you enter retirement. You may now be on a fixed income so protecting your assets and income is critical.

Maintain Financial Fitness

Many of the tips already covered in this handbook will help you avoid fraud and protect your money. However, below are a few more ideas for maintaining financial fitness.

Create a Budget



Creating a budget will allow you to track your income and expenses. It doesn't have to be fancy. To start, identify your income and expenses on a monthly calendar. Then add up your monthly income, subtract your monthly expenses, and see what's coming in and what's going out. If you need help, consider speaking with an experienced financial consultant.

Check Accounts Regularly



Many of us utilize online banking, but don't let out of sight be out of mind. Check your balances regularly and confirm that withdrawals are ones you've made. Also, review your credit card statements. Contact your bank or credit card company immediately if there are charges you don't recognize.

Think Before Cosigning



Helping a family member or friend feels good. But think twice before cosigning for a loan. Our office hears from older adults who have cosigned loans and then find themselves responsible for repaying the loan when a family member or friend is unable to make required payments. Only cosign a loan if you are fully prepared—and able—to make the loan payments yourself.

Protecting Your Home

Our homes are our most valuable asset – providing shelter and representing a large financial investment. As we age, maintaining our homes often becomes challenging, so we try to come up with solutions that make the situation more manageable. However, some solutions come with legal consequences and may negatively impact your rights to remain in your home.

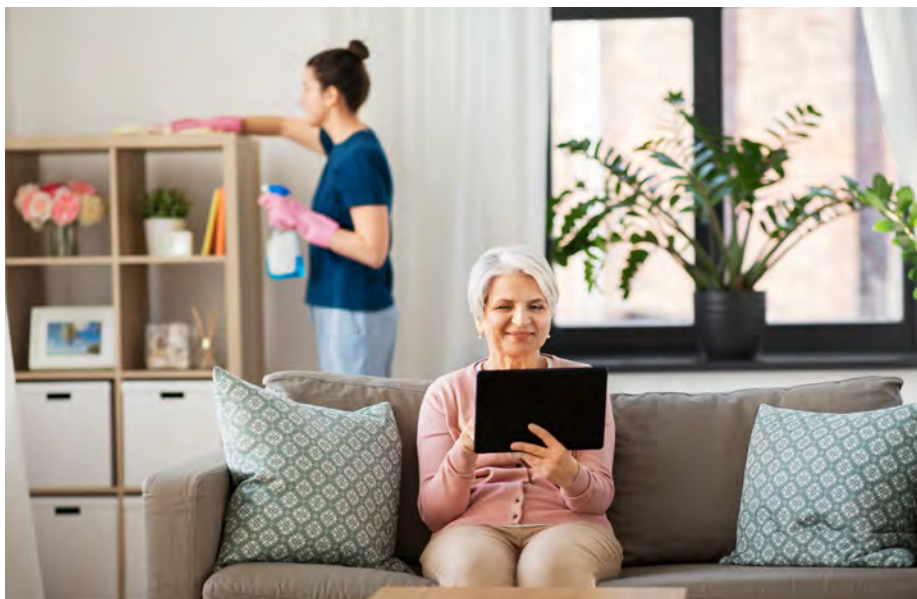
Letting someone move in with you

Taking in a roommate or family member might seem like a great idea when bills get tight, or you need help around the house. However, if you let someone move in with you, they may be considered a tenant under Idaho law, even if there is no written lease agreement. This means you may have the responsibilities of a landlord!

Be certain you understand the legal implications before letting someone move in with you. Consider whether it would benefit you to have a lease agreement in place that clearly states the rights and obligations of all parties. Also, carefully consider whether this is a person you feel safe living with if future disagreements arise. As a landlord, you must follow Idaho's laws on eviction if you don't want your roommate living with you any longer. The eviction process can take a month or longer.

If someone you are living with is hurting you or your pets or stealing from you, call Idaho Legal Aid at (208) 746-7541 to find out what legal options you may have, such as filing for a civil protection order. If you are in immediate danger, call 9-1-1.

For more information on landlord/tenant requirements, see our office's [Landlord and Tenant Manual](#) or [Idaho Legal Aid's Landlord-Tenant Rights & Responsibilities brochure](#).



Protecting Your Home

Reverse Mortgages

A reverse mortgage is a type of home loan for homeowners 62 and older. It allows you to withdraw equity from your home that you do not pay back during your lifetime. Instead, the loan is paid back when you sell the home, move out of the home, or pass away. A reverse mortgage may be a good option to avoid foreclosure or reduce monthly expenses. However, there are important things you should know about reverse mortgages.

1. Reverse mortgages do have a cost – both through fees and via the interest the loan will accrue over time. Read the loan documents carefully so you understand the costs and know what your interest rate will be, including whether it is a fixed or variable interest rate.
 2. You are still responsible for paying property charges such as property taxes, homeowner's insurance, homeowner's association fees, flood insurance premiums, etc. You must also keep your home in good repair.
 3. If only one person is on the reverse mortgage loan, then when that person moves out of the home or passes away, the reverse mortgage may become due even though a spouse is still alive and living in the home. This can cause an unexpected financial hardship.
 4. Because a reverse mortgage is a loan against your home's equity, your heirs will have to pay off the loan if they want to keep the home.
-

We recommend talking to a reverse mortgage loan counselor before entering into a reverse mortgage agreement. The following agencies can provide additional information.

U.S. Department
of Housing and
Urban
Development
(HUD)
(800) 225-5342

Consumer Financial
Protection Bureau
(CFPB)
(855) 411-2372

AARP
(888) 687-2277

Protecting Your Home

Property Taxes and HOA Fees

Even when you own your home, failing to pay property taxes or homeowner's association (HOA) fees could lead to a potential lawsuit and lien against your home.


If you are having trouble paying HOA fees, reach out to your HOA board as soon as possible to discuss options that would avoid additional fines and/or foreclosure. Idaho offers a few property tax assistance programs for those having difficulty paying their property taxes.

Idaho Property Tax Assistance Programs		
Program	How does it help	For more info and to apply
<u>Property Tax Reduction Program (Circuit Breaker)</u>	Reduces property taxes for low-income Idahoans who are also age 65 or older, a widow or widower, blind, a fatherless or motherless child under 18, a former POW, a veteran with 10% or higher service-connected disability or receiving a VA pension, or disabled.	Contact your county assessor's office. Application must be completed before April 15 each year.
<u>Property Tax Deferral Program</u>	Allows homeowners who meet certain qualifications to postpone paying property taxes. Taxes and interest must be paid at a later time.	Contact your county assessor's office.
<u>Veterans Property Tax Reduction Benefit</u>	Reduces property taxes for qualified 100% service-connected disabled veterans.	Contact your county assessor's office. Application must be completed before April 15 each year.

Check out [Idaho Legal Aid's Protecting Your Home brochure](#) for information on Your Home and Medicaid, Protecting Your Home from Foreclosure, and Deeding Your Home.

Investment Fraud and Scams

Investing might be part of your overall financial plan. It can be exciting and the hope of buying into the next big thing enticing. However, watch out for these investment red flags.

Investment Red Flags 	Unlicensed investment professionals
	Aggressive sellers who may provide exaggerated or false credentials
	Offers that sound “too good to be true”
	“Risk-free” investment opportunities
	Promises of great wealth and guaranteed returns
	“Everyone is buying it” pitches
	Pressure to invest right now
	Over-the-top, sensational pitches that may have fake testimonials
	Unsolicited pitches seeking to obtain your personal information
	Asked to pay for investments by credit card, gift card, or wiring money abroad or to a personal account

What’s the deal with cryptocurrency?

Cryptocurrency, or crypto, is a digital form of money, but its value fluctuates. Thousands of different kinds of cryptocurrency exist. A few popular ones are Bitcoin, Ethereum, Tether, and Binance Coin. Investors can use U.S. dollars to purchase crypto but the amount you pay for a particular cryptocurrency changes based on that cryptocurrency’s value. Some stores allow you to purchase goods and services using cryptocurrency, but they are not required to do so.

Most people buy cryptocurrency as an investment. Consumers attempt to purchase crypto when its value is low and then sell when its value is high. Like traditional investing, there is no guarantee that you will make money. If you invest in cryptocurrency, only invest money you can afford to lose.

Cryptocurrency on its own is not a scam. However, these digital assets are very new and, for the most part, unregulated. Use extreme caution before using cryptocurrency to pay someone. Scammers love to be paid in crypto.

Getting Help



You may find yourself in need of financial assistance at some point. Knowing what help is out there and how to access it can be difficult. The National Council on Aging's [BenefitsCheckUp.org](https://www.benefitscheckup.org) website can help you locate assistance programs in your area. You can call the Eldercare Locator at (800) 677-1116 if you do not have access to the internet.

Where to go for financial and investment fraud help

If you fall victim to investment fraud or have a problem with a business that provides financial goods or services, the agencies below may be able to assist. Call our office at (208) 334-2424 if you are uncertain about the best place to file a complaint.

[Idaho Department of Finance](#), (208) 334-8000. In Idaho, the Idaho Department of Finance licenses businesses that offer financial products. These include mortgage lenders, banks and credit unions, money transmitters, and securities brokers. You can go to their website to confirm a business is licensed or file a complaint.

[Consumer Financial Protection Bureau \(CFPB\)](#), (855) 411-2372 . This federal agency makes sure banks, lenders, and other financial institutions treat you fairly. The CFPB accepts complaints against businesses that offer financial products and services such as personal loans, checking and savings accounts, credit repair services, prepaid cards, mortgages, and student loans – to name just a few.

[U.S. Securities and Exchange Commission \(SEC\)](#). You can report suspected securities fraud or file complaints regarding investments with this federal agency. Go to [SEC.gov](https://www.sec.gov) to learn more. They also operate the website [Investor.gov](https://www.investor.gov) which provides investing tips, tools, and resources. You can also conduct a background check on any investment professional on [Investor.gov](https://www.investor.gov).



HEALTH CARE

The need for health care, and its costs, often increase as we age. Thousands of agencies are available to help you make health care decisions. It is best to consult with those you trust or with recognized organizations such as AARP and the Senior Health Insurance Benefits Advisors (SHIBA). This information can complement, not replace, information received from your doctor.

Health Care Plans

Choosing a health care plan

If you are over 65, you should contact SHIBA for health insurance information. SHIBA is part of the Idaho Department of Insurance and offers free counseling regarding senior health insurance, including Medicare plans. You can contact SHIBA at (800) 247-4422 or online at doi.idaho.gov.

If you are under 65 years old, you can purchase health insurance through Idaho's state-based health insurance exchange. Go to YourHealthIdaho.org to learn more.

Tips for Choosing a Health Plan

Find an Idaho-licensed company.
Call (800) 721-3272 or search
online at doi.idaho.gov.

Ask for a list of plan exclusions and
limitations. No plan covers everything.
If you are told it does, it is probably
not legitimate insurance.

Be wary if the word "insurance" is
not used, and instead "benefits" or
"coverage" are offered.

Get the company's free list of
in-network providers. You
should not pay for this list.

Ask your current health care providers
if they do business with the company.



Describe the health care services you
need and ask how the company
will pay for each medical need.

Never provide a credit card number
before receiving any plan information.
It might be a scam.

Discount Health Plans

Some plans look and sound like health insurance but are not true insurance and are not regulated by the Idaho Department of Insurance.

Discount plans

provide benefits that appear to be discount medical insurance but, in fact, only offer discounts for certain office appointments or procedures. When you join, the organization chooses the health care provider and decides the amount of benefit, if any, you will receive. There is no guarantee you will receive any benefit or that there will be a provider in your area.

Unauthorized health

insurance will pose as a union or guild that operates outside of state insurance regulation. They may approach you offering health care in exchange for an enrollment fee. If the company closes or goes bankrupt, any premiums you paid become null and void.

Health care sharing ministries (HCSMs)

require participants to contribute monthly fees. Fees from all members are intended to cover qualified care of other members. However, HCSMs are not legally required to cover your health care expenses. Our office has received multiple complaints from consumers whose HCSM didn't cover medical care they believed it would.

Choosing a Doctor

Your doctor will help you make important decisions about your health care. The doctor-patient relationship requires a foundation of trust. Whether you are looking for a general practitioner or have been referred to a specialist, you'll want to feel comfortable with your doctor's qualifications and experience.



Find an Idaho-licensed doctor

Idaho Board of Medicine
bom.idaho.gov, (208) 327-7000



Find an Idaho-licensed dentist

Idaho State Board of Dentistry
isbd.idaho.gov, (208) 334-2369



Find a board-certified doctor

American Board of Medical Specialties
certificationmatters.org, (312) 436-2600

Health Care Facilities and Nursing Homes



Choosing a nursing home or in-home care provider is a big step. But there is help out there. These agencies can provide valuable information about facilities and providers.

Idaho Department of Health and Welfare. Offers information regarding choosing a nursing home, comparing nursing homes, and seeking financial assistance.

Go to healthandwelfare.idaho.gov and hover your mouse over “Services & Programs.” Under the heading “Children & Families,” select “[Assisted Care and Facilities](#).” You can contact the Department of Health and Welfare at (800) 926-2588.

Medicare. Find and compare nursing homes, hospitals, and other providers at medicare.gov/care-compare.

U.S. Department of Health and Human Services. Provides information for locating a caregiver. Call the Eldercare Locator telephone number at (800) 677-1116 or search online at eldercare.acl.gov.

Joint Commission on Accreditation of Healthcare Organizations. Accredits hospitals, nursing homes, and other healthcare organizations. The Joint Commission accepts patient safety concern reports and complaints on its website jointcommission.org, by phone at (630) 792-5800, or in writing.

Prescription Drugs

Prescription costs can impact your budget greatly, especially if you require maintenance drugs for chronic conditions. However, simple steps can help you reduce what you pay.



Comparison shop

Different pharmacies may charge different prices for the same medicine.



Request generic

Ask your doctor or pharmacist if a generic version of the drug is available. These are usually cheaper than brand-name drugs.



Consider mail-order or online pharmacies

These pharmacies often offer lower prices. However, make certain you are doing business with a licensed pharmacy.

To find a legitimate, verified online pharmacy check with the National Association of Boards of Pharmacy at www.safe.pharmacy or (847) 391-4406.

To research if a pharmacy is licensed in Idaho check with the Idaho State Board of Pharmacy at bop.idaho.gov or (208) 334-2356.



Research assistance programs

Use the Medicine Assistance Tool search engine at mat.org or call (571) 350-8643 to find medication financial assistance resources. The Medicine Assistance Tool identifies pharmaceutical company assistance programs that you might be eligible for. Then, you will need to apply for assistance with the company that offers that program.

Your doctor or health care provider may also know of assistance programs.

Hearing Aids

According to the National Institutes of Health, about one in three people in the U.S. between ages 65 and 74 has hearing loss. Almost half of Americans older than 75 have trouble hearing. If you are one of these people, hearing aids may help.

Before Shopping

Talk to your doctor. They can rule out correctable causes of hearing loss, like ear-wax or an infection.

Get a referral for testing by a reputable hearing specialist. If you need to get your hearing tested, ask your doctor for a referral to a reputable hearing specialist. They will assess your hearing and help you choose and adjust a hearing aid.

While Shopping

Hearing aids are sold by “dispensers.” Idaho requires hearing aid dispensers to be licensed annually. The Speech and Hearing Services Licensure Board issues all licensed dispensers an identification card. Ask to see the license.

Don’t make your decision hastily and never be pressured into purchasing a device. Take your time. Check with more than one dispenser. Compare prices and services offered by other dispensers and audiologists. The difference in price and services can be significant. A more costly hearing device is not necessarily a more effective one.

Over-the-Counter (OTC) Hearing Aids

In October 2022, the Food and Drug Administration began allowing the sale of OTC hearing aids for mild to moderate hearing loss. Visit the Hearing Loss Association of America’s website at hearingloss.org for more information and to research if this may be an option for you.

Hearing Aids

Pre-purchase checklist

- ☑ **Ask about a trial period.** It may take a while to get used to the device and decide if it's right for you. Make sure the refund policy is written into the purchase agreement. In Idaho, all hearing aid sales agreements include a 30-day right to cancel the purchase and obtain a refund. The 30-day right to cancel will begin on either the date you signed the contract or the date you received the hearing aid, whichever is later. Find out what fees are refundable if you return the hearing aids. Also, many contracts cannot be cancelled for any reason after the 30-day period.
- ☑ **Buy only what you need.** Some additional features like Bluetooth capability are convenient extras, but can add hundreds of dollars to your bill. If you don't think you'll use it, don't buy it.
- ☑ **Find out the total price.** What's included in the price? Hearing aids, fitting services, follow-up, and more? Get an itemized list and any verbal quotes and promises **in writing**.
- ☑ **Check with your insurance.** Health insurance plans, including Medicare, typically pay for diagnostic hearing evaluation, but many plans do not cover hearing aids. If you can't afford a hearing aid, contact the [National Institute on Deafness and Other Communication Disorders \(NIDCD\)](#) for information about organizations that offer financial help.
- ☑ **Check for a warranty.** How long is the warranty? Can it be extended? Does it cover maintenance and repairs? Is it honored by the manufacturer or by the licensed hearing health care professional? In some cases, a manufacturer may not honor its warranty unless you buy the hearing aid from an authorized seller.
- ☑ **Ask about service calls.** Find out the dispenser's policy for repair work. Where is the work done? Don't assume that service calls will be done at your home because the dispenser came to your home for the sale.
- ☑ **Ask about loaners.** Ask if you'll get a free loaner hearing aid if your device needs servicing or repair.

Hearing Aids

Your Purchase Agreement

Once you have decided to buy, be sure your contract includes **all** of the following:

- the name brand and type of hearing device you are buying
- both the dealer's and your signatures
- a statement that the device is used or reconditioned (if you are purchasing a used or reconditioned device)
- a delivery date (If your hearing aid is late, contact the dispenser for an explanation. Make notes about your discussion and keep them with your records.)
- the terms and time allowed for returns and refunds (In Idaho, all hearing aid sales agreements include a 30-day right to cancel the purchase and obtain a refund. The 30-day right to cancel will begin on either the date you signed the contract or the date you received the hearing aid, whichever is later.)

After You Buy



Idaho law requires that, within six weeks of a purchase, the consumer be tested with and without the hearing aid. This testing determines the hearing aid's value to the consumer. The fitter must document the hearing test results and keep them on file for two years.

If your hearing aid is not satisfactory for any reason, contact the dispenser immediately. If you suspect your

dispenser is not providing you with the goods or services you purchased, contact the Division of Occupational and Professional Licenses, [Speech, Hearing and Communication Services Licensure Board](#), (208) 334-3233.



PLANNING AHEAD

Planning for the future can be complicated regardless of your age. You may need assistance whether it's for financial, estate, or health care planning. [Idaho Legal Aid's website](#) offers many self-help resources to get you started including their Decision-Making as We Age and End of Life Planning brochures. They also offer an End of Life Planning module that presents information in audio and video formats. This module is available in both English and Spanish.

Estate Planning

Careful estate planning can ensure your assets are distributed according to your wishes after your death. Your assets are transferred to your beneficiaries quickly and usually with minimal tax consequences.

If your assets are worth one million dollars or more, estate planning may benefit your heirs. After accounting for your home, investments, retirement savings, and life insurance policies, you may find that your estate is worth a considerable amount of money. You should consult an attorney, certified public accountant (CPA), or tax advisor for guidance.



Terms to Know

Probate

Legal process that usually involves filing a deceased person's will with the local probate court, taking an inventory and getting appraisals of the deceased's property, paying all legal debts and, eventually, distributing the remaining assets and property.

Trust

Legal arrangement in which one person gives control of his property to a trust. The trust is administered for the beneficiary's benefit, which may be you.

Will

Legal document that dictates how to distribute your property after your death. If you don't have a will, the law of your state determines what happens to your estate and your minor children. The probate court governs this process.

Living (Revocable) Trusts

Living (revocable) trusts are a popular estate planning tool for older adults. They provide for the future management of a person's assets in the event of incapacity. A living trust allows you to designate another person to manage your property while you still retain ownership.

Living Trust Elements



Grantor

Individual who creates the trust.



Trustee

Person grantor designates to follow trust's terms after the grantor dies. While alive, grantor can serve as trustee and control the trust.



Funding

Transferring grantor's assets into the trust. Requires specific legal actions – simply signing trust documents does not create a funded trust.

Living (Revocable) Trusts

Complaints about Living Trusts

Idaho does not regulate the sale of living trusts, and people selling them may not be qualified to advise you on the issues relating to living trusts and estate planning. Older adults are frequently targeted by people selling living trust packages.

Some consumers have purchased living trusts only to find after paying a lot of money for the trust documents that they are left with inadequate direction or help in funding the trust. Without proper funding, a trust is ineffective, and, upon death, your estate will probably have to be probated. This may leave your heirs frustrated and with increased expenses in trying to unravel your estate.

Estate Planning Advice

DOs

- ✓ Ask family members and friends for referrals to experienced estate planners.
- ✓ Consult with an experienced attorney who can advise you of benefits and consequences of available estate planning tools.

DON'Ts

- ✗ Invite strangers into your home or meet with anyone whose professional background is unknown to you.
- ✗ Fall victim to high pressure sales tactics – especially those often employed by door-to-door salespeople and telephone solicitors.

End of Life Health Care Planning

Through Advanced Directives, you can ensure that your wishes about your healthcare are carried out if you become incapacitated and are not able to speak for yourself.

Two types of Advance Directives are a Living Will and a Durable Power of Attorney for Health Care. In Idaho, you can complete one form for both. Forms for Living Wills with a Durable Power of Attorney for Health Care are available free on the [Secretary of State's website](#). Most health care providers also have these forms available for patients.

A **Living Will** details your written instructions for dealing with life-sustaining medical procedures if you are unable to decide for yourself. If you are incapable of expressing your wishes due to an incurable and terminal condition or persistent vegetative state, a Living Will directs your family and medical staff on whether to continue, withhold, or withdraw life-sustaining systems, such as tube feeding for hydration (water) and nutrition (food).

A **Durable Power of Attorney for Health Care** allows you to appoint a person to make all decisions regarding your health care, including choices regarding health care providers and medical treatment, if you are not able to make them yourself for any reason.



End of Life Health Care Planning

Physician Orders for Scope of Treatment (POST)

In Idaho, you can also complete a **Physician Orders for Scope of Treatment (POST)** form.

The POST form is a written physician's order that must be followed by all health care providers. It must be signed by a physician and is only appropriate in cases where death is reasonably anticipated to occur relatively soon.

The POST form is designed to benefit:

- Anyone with an advanced chronic progressive illness,
- Anyone who is in a terminal state, or
- Anyone wishing to further define their preferences for medical care.

The POST form is written in common, everyday language so your choices are clear and concise. You complete the form with the assistance of your attending physician and make decisions about specific situations. The POST form assures you that comfort care and pain management are always provided.

Share Your Wishes!

Idaho residents can register their Living Will, Durable Power of Attorney for Health Care, and POST with the Secretary of State's Office.

In case of an emergency, your health care provider can access your Advanced Directives online ensuring that medical treatment aligns with your wishes. There is no fee to register these documents. For more information, or to register your Advance Directives, visit the Secretary of State's website at sos.idaho.gov or call (208) 332-2836.

Helpful Contacts

In addition to our office, a number of federal and state agencies and non-profit organizations provide consumer protection education and assistance.

Agency/ Organization	Website	Phone
Federal Trade Commission (FTC)	ftc.gov reportfraud.ftc.gov identitytheft.gov	(877) 382-4357 (Report Fraud) (877) 438-4338 (ID Theft)
Consumer Financial Protection Bureau (CFPB)	consumerfinance.gov	(855) 411-2372
Idaho Department of Finance	finance.idaho.gov	(208) 332-8000
Idaho Department of Insurance	doi.idaho.gov	(208) 334-4319 (800) 721-3272 (toll-free in Idaho)
Idaho Division of Occupational and Professional Licenses	dopl.idaho.gov	(208) 334-3233
Idaho Legal Aid Services	idaholegalaid.org	(208) 746-7541
AARP Fraud Watch Network Helpline	aarp.org	(877) 908-3360 (toll-free, Monday through Friday, 7 a.m. to 11 p.m. ET)
Better Business Bureau (BBB)	bbb.org	(208) 342-4649



OFFICE OF THE IDAHO ATTORNEY GENERAL

Contact Us

CONSUMER PROTECTION DIVISION

Phone

(208) 334-2424

(800) 432-3545

Email

consumer_protection@ag.idaho.gov

Address

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