

# VIZZONI & COSTELLO, L.L.C.

www.vc-law.com

## Attorneys At Law

### FALL 2003 UPDATE

- **Health Care Directives More Important Than Ever Under HIPPA.** Anyone who has visited a physician recently is probably aware of the strict and comprehensive privacy guidelines under which health care professionals must now operate pursuant to the Health Insurance Portability and Accountability Act (HIPAA). The new law prohibits disclosure of a patient's status or health to anyone, including a spouse or other family member, without the patient's express written authorization. It is therefore more crucial than ever that everyone implement a document which authorizes another individual, and preferably one or two alternates, to deal with health care professionals and receive otherwise confidential information. In the absence of such a document, known as a "Health Care Directive," Health Care Power of Attorney," or "Health Care Proxy," family members may be forced to apply in court for formal guardianship of the patient in order to receive needed information and to make medical treatment decisions on behalf of a loved one.
- **Congress Passes More Tax Relief Legislation.** The Bush administration again prevailed upon Congress to pass additional tax relief in order to stimulate the economy. The highlight of the new legislation, labeled the "Jobs and Growth Tax Relief Reconciliation Act of 2003," is the reduction in the top tax rate applicable to most dividends and to long-term capital gains to 15%. The Act also includes a retroactive (to January 1, 2003) reduction in the top four rate brackets from 38.6%, 35%, 30% and 27% to 35%, 33%, 28% and 25%. Other provisions include incentives for small businesses to invest in equipment; an increase in the child tax credit from \$600 to \$1,000; relief for married couples from the so-called "marriage penalty;" and relief for individuals from the "Alternative Minimum Tax."
- **WSJ Article Addresses Issues Surrounding Trustee Designation.** An April 20, 2003 article in the Wall Street Journal offers a good analysis of some of the issues faced by many of our estate planning clients when making decisions regarding the designation of trustees. Institutional trustees, such as banks or trust companies, are always appealing given the range of legal and financial issues that confront trustees, but cost is usually a deal-breaker. However, the article points out that some trust companies are catering to clients with trust assets as little as \$500,000, making an institutional trustee as either sole trustee, or co-trustee with a family member, a viable option for many more people.

***WE ARE PLEASED TO WELCOME MELISSA MANCO TO THE FIRM. MELISSA IS A PARALEGAL  
CONCENTRATING IN REAL ESTATE, ESTATE PLANNING AND BUSINESS FORMATIONS.  
WELCOME MELISSA!***