

# GUIDELINES FOR A PROFESSIONAL EXECUTOR

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A Professional Executor serves an extremely important and potentially complex role. We have prepared these guidelines to help facilitate your work. They are merely guidelines, and all of them may not be applicable in all situations. It is quite likely, in fact, that some situations may arise that are not covered in these guidelines. Accordingly, in serving as a PE it is important to use your best clinical and professional judgment, and to seek consultation from the Task Force members and /or others as needed.

It is important to remember that as a PE you need not be alone in this task. While you as the PE are in charge, please recall that the Professional Will contains the following information, "I grant my Professional Executors full authority to:...Delegate and authorize other persons determined by them to assist and carry out any activities deemed necessary to properly administer this Professional Will."

Following are some guidelines you might wish to consult. They are organized by time periods, since immediate action is usually required surrounding a sudden death or incapacitation, followed by issues of resolution and closure.

## **Immediate (same day/next day)**

### *(a.) Welfare of Patients (primary concern)*

1. Contact the family and/or executor and explain your role as a Professional Executor. Describe the assistance you may need and attempt to coordinate with them. Naturally, it is important to remember that family members will be affected by shock, grief, loss, etc. and to be clinically sensitive to these issues.
2. Review the guidelines and directives of the Professional Will, if there is one.
3. Gain access to the deceased psychologist's appointment calendar, phone book, palm pilot and patient records, as well as computer, if records were kept there.
4. Gain access to psychologist's office and post a notice with your phone number to call. A sample note on the door might read: Dr. \_\_\_\_\_ is unavailable. For further information, please call me: (area code) (phone number). Thank you. (Your signature). It is important that any communication regarding a psychologist's demise be communicated person to person and not in a phone message, taped to a door, or by e-mail. Such impersonality might appear brutal and unkind, and have a negative effect.
5. Gain access to voice mail and change greeting with your phone number to call. Sample greeting is similar to above. Dr. \_\_\_\_\_ is unavailable. I am Dr. \_\_\_\_\_ and am taking calls for him/her. Please leave a message for me with your phone number and a good time for me to reach you and I will return your call as soon as possible. Thank you.
6. Call the same day/next day appointments to cancel. At that time, you will need to explain that the psychologist has died and offer phone triage to the patient/s, scheduling appointments with you or making referrals to other psychologists, as appropriate.
7. Continue with cancellation of the week's, and current month's appointments.
8. In contacts with all patients offer further contact, consultation and, ultimately, referral to another psychologist, if desired.

***(b.) Related Professional Practice Issues***

Inform office staff, colleagues, and building management.

**Short-Term (second week and immediately beyond)**

***(a.) Welfare of Patients***

1. Form a liaison with family regarding their wishes for a memorial (if they have requested it) and whether they wish patients to attend. Inform current and past patients as appropriate.
2. Contact all patients listed in the Psychologist's date book for the past year to notify them.
3. Continue contact with current patients in order to facilitate addressing their needs (providing appointments, making referrals, etc.)
4. Files should be placed in storage and released upon appropriately documented request to another mental health provider. (This is strongly recommended in order to avoid any harm that might befall a patient upon reading random notes which cannot be processed because the writer is not there).

***(b.) Related Professional/Practice Issues***

1. Inform malpractice carrier within the first month. It is necessary to do this in writing to ensure the addition of a tail to the insurance.
2. Advise as needed the dismantling of office and its contents with family or Executor of Personal Will. Collection of bills is ultimately the family's responsibility. PE acts in an advisory capacity as needed.

**Intermediate-Term (first few months)**

***(a.) Welfare of Patients***

1. Keep phone and voice mail active for at least a year; update greeting as appropriate, check weekly, and respond as needed.
2. Continue to facilitate referrals and the appropriately documented requests for transfer of records.
3. Arrange for longer term confidential storage and disposition of records.

**Long Term**

***(a.) Welfare of Patients***

Continue to attend to patient requests as they arise.

***(b.) Related Professional/Practice Issues***

1. Inform BOP
2. Inform APA, SDPA, CPA and any other organizations
3. Cancel journals.

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