



# Catastrophic Injury & Family Caregiver Checklist

*A steady guide for families stepping in to help a loved one through a life-changing injury – in Missouri and Kansas.*

## 1 FIRST, STEADY YOURSELF AND THE FAMILY

When a loved one suffers a catastrophic injury – a brain or spinal cord injury, severe burns, or the loss of a limb – your world changes overnight, and you may suddenly be the one making decisions. The legal and financial steps can wait until you have found your footing.

- **You don't have to do everything at once:** The urgent early decisions are medical. The legal and financial pieces can follow.
- **Build a small support circle:** Divide responsibilities among family and friends so no one person carries it all.
- **Keep one place for information:** A single binder or folder for medical records, contacts, bills, and notes as they arrive.
- **Be cautious about early outreach:** Insurers may contact you quickly. You are not required to give a statement, sign anything, or accept an early offer.

## 2 STEP INTO THE ADVOCATE ROLE

If your loved one cannot speak or make decisions for themselves, someone may need legal authority to act on their behalf.

- **Find out who can make decisions:** If your loved one cannot direct their own care, the family may need legal authority – through a power of attorney signed earlier, or a court-appointed guardian or conservator.
- **Gather the key documents:** Identification, insurance cards, and any existing power of attorney, advance directive, or will.
- **Keep a single point of contact:** One family member coordinating with doctors, insurers, and the legal team prevents confusion and conflict.
- **Ask questions and write down the answers:** Diagnosis, prognosis, expected recovery, and what daily care will look like going forward.



### 3 DOCUMENT THE FULL PICTURE

Catastrophic cases turn on the long-term cost of the injury – not just today’s bills. The record you build now matters for years.

- **Keep every medical record and bill:** Hospital, rehabilitation, specialists, medications, equipment, and transportation.
- **Track the cost of care at home:** Home modifications, assistive devices, in-home help, and supplies.
- **Keep a caregiver journal:** Dated entries on your loved one’s condition, the care you provide, and the toll on the family – including your own lost time and income.
- **Note who and what caused it:** The people, vehicles, products, or property involved – and any witnesses.

### 4 PROTECT THE CLAIM – AND DON’T SETTLE TOO SOON

The single biggest mistake in a catastrophic case is settling before the full, lifelong cost is known.

- **Don’t accept an early settlement:** Future medical care, lost earning capacity, and lifelong needs are usually far larger than early offers reflect – and once you settle, you generally cannot reopen it.
- **Wait for a clear medical picture:** A reliable estimate of future needs often isn’t possible until your loved one’s condition has stabilized.
- **Let the experts build the number:** Catastrophic cases use life-care plans and economic analysis to value future care – not a quick adjuster’s estimate.
- **Preserve the evidence:** Vehicles, devices, or products involved may need to be protected before they are lost or repaired.



## 5 PROTECT BENEFITS AND THE FUTURE

A recovery is meant to provide for a lifetime of care – but if it isn't handled carefully, it can disrupt the very benefits your loved one relies on.

- **Be careful with needs-based benefits:** A settlement can affect eligibility for programs like Medicaid or SSI unless it is structured properly.
- **Ask about protective tools:** Options such as a special needs trust or a Medicare set-aside can preserve both the recovery and ongoing benefits – these require specialized guidance.
- **Coordinate every source of support:** Health insurance, disability benefits, and any workers' comp claim can interact and should be managed together.
- **Plan for the long term:** Think in terms of decades of care, not a one-time check.

## 6 MISSOURI VS. KANSAS – KNOW WHICH RULES APPLY

A catastrophic injury isn't its own kind of case – the deadline depends on what caused it, and special rules can apply when the injured person cannot act for themselves.

### The Deadline Depends on the Cause

- **The underlying claim controls:** A catastrophic injury from a crash, a truck, a fall, a medical error, or work follows that claim's deadline – and Missouri generally allows more time than Kansas for many injury claims. The matching checklist in this series covers the specifics.

### More Time May Apply – But Don't Count on It

- **Missouri:** Deadlines are generally paused while an injured person is under 21 or legally incapacitated, until that changes – though this does not apply to medical malpractice, and acting early is always safer.
- **Kansas:** Similar protections exist for minors and incapacity, but Kansas applies firmer outer limits – so never assume extra time without confirming it.

### Fault Still Matters

- **Missouri (pure comparative fault) vs. Kansas (50% bar):** As with other injury claims, Missouri reduces recovery by the injured person's share of fault; Kansas bars recovery entirely at 50% or more.



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**EXTRA NOTES**

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*You deserve clarity, representation, and a full pursuit of what is right.*

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