

# Good Health

IN THE EAST BAY

## Rotator Cuff Injury

In 2006, approximately 4.1 million people went to the doctor's office for rotator cuff problems. To give you some perspective, that's 4 injuries per year for every man, woman, and child in the entire state of Rhode Island! Chances are, you've met someone who either has this injury or has received treatment in the past.

The rotator cuff is comprised of 4 small muscles which help move the shoulder and provide stability for your upper arm bone. A rotator cuff injury can vary from dull to sharp pain, with associated arm weakness and loss of daily function. This injury is very common in overhead athletes, repetitive motions linked to occupations (carpentry, painting), or in elderly patients using their arm to break a fall.

Rotator cuff tendonitis (RCT) is inflammation of the tendons that attach the muscles to the humerus. The muscles occupy a small space between the acromion process of the scapula and the head of the humerus. Poor posture, repetitive overhead activities, overuse and disuse can cause RCT. Impingement results when the inflammation causes the tendons and bursa to be pinched by the bones. Common symptoms are pain with overhead activities, pain over the outside of the shoulder and upper arm and difficulty sleeping.

Ice and rest are initiated to decrease the inflammation. You may also be instructed to avoid overhead activities such as pitching/throwing, swimming the crawl stroke, over-

head weight lifting etc. Your physical therapist will perform a thorough evaluation and establish a plan for your recovery. The plan of care will be based on goals you and your therapist establish. The plan may include stretching, passive range of motion, strengthening and modalities, and a home exercise program. Research indicates ultrasound, electrical stimulation or laser therapy aid in the healing process and decrease pain.

Being discharged from physical therapy does not mean you no longer need to exercise. It is important to continue with your individualized home exercise program to maintain strength and range of motion.

The tendons can also be torn. A partial or full rupture can occur. This does not mean that surgery is necessary. A complete tear will not repair itself. However, strengthening of the muscles in and around the shoulder can reduce symptoms and increase range of motion which many times negates the need for surgery. You should seek the advice of an orthopedist and a physical therapist to determine the best course of action for your recovery. There is recent evidence demonstrating that many people with a partial or full RTC tear can recover without surgery.

Here at McVay physical therapy, we have successfully treated patients with full and partial rotator cuff tears. Many have returned to sports, sleep and overhead reaching.



**The raptors are coming**

Andre (left) and Desi Wichowski wear eagle headbands they made at last year's Raptor Weekend at the Audubon's Environmental Education Center in Bristol. Raptor Weekend returns this Saturday and Sunday, Sept. 12-13 See page B7 for details.

### AGING WISELY

## A primer on trusts, part 1

When I first meet clients and discuss trusts, I often hear remarks such as, "I don't really know what a trust is." I thought it might be



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helpful in this column to discuss very basically what a trust is and why trusts are used in estate planning. In my next column, I will discuss different types of trusts and the different purposes they serve.

A trust is a legal arrangement through which one person (or an institution, such as a bank), called a "trustee," holds legal title to property for another person, called a "beneficiary." The rules or instructions under which the trustee operates are set out in a trust agreement. Said differently, a trust is a contract that describes

how a trustee, the legal owner of property, must invest, manage and distribute the trust property to and for the benefit of the future recipients of the property, i.e. the beneficiaries. Trusts have an initial set of beneficiaries who will benefit from the trust during their lives and another set—often the children of the initial beneficiaries—who will benefit from the trust assets only after the initial beneficiaries have died. The first group are often called "life beneficiaries" or the "current beneficiaries" and the second the "remaindermen."

There can be several advantages to establishing a trust, depending on your situation. Best-known is the advantage of avoiding probate, the court process by which a deceased person's property is passed to his or her heirs. If a trust is written to terminate at a person's death, the property in the trust passes immediately to the beneficiaries by the terms of the

trust without estate taxes and without probate. This can save time and money for the beneficiaries. Because the law places significant legal duties on trustees, the law omits the need for judicial oversight of the distribution of trust assets.

Certain trusts can also result in tax advantages both for the trust creator and, sometimes, the beneficiary. For example, life insurance owned by a decedent is subject to federal and Rhode Island estate tax at the decedent's death. If the ownership of the life insurance policy is placed into the name of an irrevocable life insurance trust, all of the estate tax on the life insurance can be avoided, if proper procedures are followed. Other trusts may be used to protect property from creditors or to help the donor qualify for Medicaid. Today, many individuals are interested in creating irrevocable trusts to hold assets to avoid having the assets paid a nursing home. When assets are transferred into a trust, a gift typically occurs and the 5 year lookback for Medicaid qualification occurs. A good estate planning attorney will take the time to explain the pros and cons of such planning, including the fact that gifts into irrevocable trusts result in a relinquishment of control over the asset transferred into the trust.

Unlike wills, trusts are private documents and only those individuals with a direct interest in the trust need know about the trust assets and distribution provisions.

Attorney Macrina G. Hjerpe is a partner in the Providence law firm Chace Ruttenberg & Freedman. She practices in the areas of Estate Planning, Probate, Estate Administration, Trust Administration, Trust Litigation, Guardianship, Business Succession Planning, Asset Protection Planning, Elder Law and Estate Litigation.

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