

# Elder Law & Medicaid Planning

Our team has decades of experience handling retirement and financial planning for elderly or incapacitated clients, including providing counsel during the health care decision-making process. We help our clients take proactive measures to best avoid the challenging financial complications and emotional toll that long-term care and unexpected medical expenses can present to an individual or their family members.

We counsel clients on potential courses of action that include guardianships and creating durable powers of attorney, living wills, health care proxies, and revocable “living” trusts—all designed to provide care and protection for our clients and to minimize or avoid court involvement. Our team also has significant experience managing the Community Medicaid and Chronic Care Medicaid application processes, frequently assisting clients who have out-of-town children or those who simply need help navigating the complex process.

In addition to our robust trusts and estates planning services we offer our elder law and Medicaid-planning clients assistance with legal matters that include:

Our elder law and Medicaid-planning attorneys are highly cognizant of the sensitive, emotionally charged nature of these matters, and we strive to make our clients feel supported and secure through transparent communication. Our team takes deep satisfaction in helping our clients obtain peace of mind with the knowledge that, because of our firm's legal assistance, they and their families will be well cared for.

- Caregiver agreements
- Elder abuse and fraud recovery
- Hospice and end-of-life issues
- Long-term care placements in nursing homes and life-care communities
- Medicare, Medicaid, and NYS Partnership Long-Term Care Insurance Policy analysis, appeals, and litigation
- Nursing-home issues such as patient rights and quality of living
- Prepaid funeral accounts
- Spousal allowances and transfers
- Spousal impoverishment

## Representative Experience

- Successfully prosecuted a chronic care Medicaid application and protected a modest amount of assets for a client. Also performed forensic accounting to assure no prior gifts would contaminate the client's plan, helped the family avoid probate, protected life insurance and qualified funds, and reviewed and approved the Medicaid determination.
- Helped a paraplegic move into his daughter's home, successfully obtain Community Medicaid, and obtain 24/7 care paid for by the Community Medicaid. Also secured rights for the client's daughter to charge him \$3,500/month in rent.
- Assisted a client with a progressive memory impairment in obtaining Community Medicaid that allowed him and his wife to continue living together in a community. When the client's disease progressed, helped him successfully enter a nursing home while protecting he and his wife's assets, which allowed her to remain in the community.

- Helped an 88-year-old client remain in his home in the community by getting him Community Medicaid that paid for aide service and up to \$45,000 in home improvements every three years. Protected the client's home, the balance of assets, and secured rights for the client's disabled daughter to be paid \$11/hour to look after him.