Seminar Agenda

Basics of MassHealth Eligibility
- Countable assets
  - Non-countable assets
- Inaccessible assets
- CSRA
- MMNA

W. Brisk

Achieving Eligibility in a Crisis
- Permissible transfers to spouse, disabled children, siblings, etc.
- Transfers to special needs and pooled trusts
- Fair market value transfers: partial interests in real estate
- Testamentary trusts
- Medicaid-compliant annuities
- Re-characterizing assets by converting countable to non-countable: residences, vacation homes
- Spousal refusal
- Defending transfers: intent, cure, hardship

M. Albanese

Advanced Issues
- Curing disqualifying transfers
- Promissory notes
- Caretaker contracts
- Business properties
- Dealing with trusts with problematic terminology

P. Greenfield

Irrevocable Income Only Trusts – Where Are We Now?
- Review of recent decisions
- Defending and appealing existing trusts
- Advising trustees of failed trusts and ways to reform or decant them

R. Flowell

Appeals: Processes and Resources for Appealing
- Fair Hearings
- Mechanics and resources for filing an appeal
- When to appeal, when to involve/utilize the MassNAELA litigation committee
- Process and procedure for 30As

P. Keane Martin

Public Benefits for Individuals Living At Home or in the Community
- PACE and elder services
- VA benefits
- Assisted living facilities: group adult foster care and low income
- HUD program (DeCambre)
- Waiver programs
- Money follows the person
- Finding a suitable facility

L. Silver Traiger

Real Estate Issues with MassHealth Planning
- Capital gains
- Homestead declaration
- Petition to partition
- Valuing life estates – reimbursements on sale
- Real estate in SNTs and reimbursements from d4(a) trusts

J. Otte

Guardianships and Conservatorships
- Guardianship and conservatorship basics
- Involuntary admissions
- Rogers process
- PCA issues and other MassHealth issues for a guardian

P. Keane Martin

Staying Out of Trouble
- Dealing with cases of elder abuse or financial exploitation
- Ethical issues serving clients with diminishing capacity
- Ethical issues with MassHealth applications – duty of attorney to disclose

J. Demmerly

Learning Objectives

You’ll be able to:

- Obtain Review MassHealth basics, including how to characterize assets and how to spend down.
- Achieve eligibility in a crisis.
- Examine guardianship and conservatorship basics.
- Re-characterize assets by converting countable assets to non-countable.
- Value life estates.
- Explore benefits for people living at home or in the community.
- Review the latest information about irrevocable income only trusts.
- Handle allegations of elder abuse and financial exploitation.

MassHealth Update 2015
Newton, MA - Friday, October 23, 2015

MassHealth
Continuous Education Credit
- Accountants: 8.0 CPE Hours
- Attorneys: 7.0 New Hampshire CLE Hours
- New York CLE Hours
- Maine CLE Hours
- Vermont CLE Hours
- (1.0 Ethics Hour Included in each state)
- Certified Financial Planners: 8.0 Continuing Ed. Hours

Newton, MA
Friday, October 23, 2015

Define countable, non-countable and inaccessible assets
Consider the eligibility basics and options to achieve MassHealth eligibility
Learn about obtaining MassHealth eligibility in a crisis
Discuss public benefits for individuals living at home or in the community
Explore methods to cure disqualifying transfers
Handle ethical issues involving clients who have diminished capacity