

Resources and tools help family caregivers

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PORT ST. LUCIE — Are you worried about how long you will be able to survive meeting all the demands placed upon you?

Are you worried about whether or not you are providing a safe environment for your loved one?

Are you worried about running out of money, losing your home, any semblance of financial security?

Please do not give up or lose hope — there are resources and tools available to help you. One of the advantages of talking to a board certified elder law attorney about these concerns is that he or she will be able to refer you to a wide variety of community resources that are available to help you do your job better.

But the principle advantage of board certified elder law attorneys is that they can also help you with the critical legal and financial aspects of your job.

I am continually amazed by the percentage of prospective clients that we see who have been told (unfortunately in some cases even by other attorneys) that they have to spend all of their money before being able to access Medicaid or other public benefits to help pay for long-term care. Nothing could be further from the truth.

There are a wide variety of legitimate planning techniques that can be utilized to enable your loved one to qualify for Medicaid benefits to pay for skilled nursing facility residency or to assist with an assisted living facility or home health care expenses, as well as to enable access to VA benefits that can pay up to \$2,120 per month to assist with paying the costs of care.

It is true that if you keep spending all of your money for care, when you run out of money, Medicaid will pay the cost of a skilled nursing facility. Unfortunately, when you run out of money, you also run out of options, and you are stuck with what Medicaid will pay.

For example, in a skilled nursing facility, Medicaid will pay only for a semiprivate room. If you find yourself being unable to tolerate life with the assigned roommate, you may have some rights to deal with that situation, but then again you may be stuck.

If you plan in advance, however, we can work to make sure that money is available to your family to be able to supplement what you receive from Medicaid, to upgrade you to a private room, to pay for additional care services and therapies that Medicaid might not pay for, etc. The need to do advanced planning so as to not run out of money and options is going to become increasingly important as time goes by. Medicare and Medicaid are becoming a larger percentage of the government budget every year.

This is going to lead to changes in the law which will serve to either make it more difficult to qualify for government benefits or which will reduce what the government benefits will pay for. While it is never too early to start undertaking this planning, we also do not want you to think that it is ever too late.

If your loved one is already in a nursing home, we encourage you to call a board certified elder law attorney to explore your options. Another aspect of this type of thinking applies with particular impact to married patients. If you spend all of your money for care services, not only will the patient be out of money and out of options, but so will the surviving spouse be left with very diminished financial security. It is particularly important for married patients to consider planning at the earliest practicable time. We therefore encourage you to seek assistance as soon as possible.

Our firm offers free consultations with regard to these issues with no obligation whatsoever. Moreover we have a variety of free materials that are available for the asking.

One item that can be particularly helpful is a two-hour DVD of a public seminar conducted by the author in February of this year. The DVD goes through many considerations involved in being prepared for the long-term care continuum, including essential estate planning

documents you will need as well as many of the strategies available for single and for married patients to deal with the potential devastating financial expenses of skilled nursing facility care (which averages at \$7,995 per month in Florida).

We also have copies of prior articles I have published in the paper over the last year or so on topics such as: the single most important estate planning document for seniors; why an " I love you will" may not be the best treat for your Valentine; improved wartime pension; the revocable living trust, should you or shouldn't you; and who should you trust for advice.

Please call us for copies of any of these materials. Please get help as early as possible in your journey through the long-term care continuum and call a qualified elder law attorney.

Note: this article has not addressed the first two questions asked at the beginning of the article. These questions will be addressed in future articles.

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