

News Update

Estate Planning, Medicaid & Veterans Benefits

- **Changes to the Medical Assistance Eligibility Standards:** Please note that the maximum community spouse asset allowance increased to \$109,560 and the minimum to \$31,094 on January 1, 2009. As of July 1, 2008 the Statewide Average Payment Rate for Skilled Nursing Facility Care (the average amount paid by Medical Assistance on a monthly basis for a person in a long-term care facility) increased to \$4,772. The personal needs allowance for a person who receives Medical Assistance in a long-term care facility is now \$89 a month. Please also note that the minimum monthly income allowance for the community spouse has increased to \$1,751 per month and the maximum monthly income allowance has increased to \$2,739.
- **Family members providing care for loved ones:** If you receive care or help from a family member and you compensate that person or are considering doing so, keep in mind that you may need to have a written agreement for care services so as not to impact your ability to qualify for Medical Assistance if needed in the future. A Personal Services Contract can be entered into by the family member receiving care and the care provider. This agreement can cover things such as help with house maintenance, errands, meals, preparing and administering medications, housecleaning, transportation, etc. This type of agreement legitimizes the arrangement if one ever needs to apply for medical assistance.
- **TOD Deed:** As of August 1, 2008, a new estate planning tool came into effect in Minnesota. The transfer on death deed (TODD) allows a real property owner to name beneficiaries of his or her real property. The practical benefit for doing this is that the property can pass at the death of the owner(s) thereby avoiding the need to probate this asset. The TODD has some great benefits, but it is not right for every situation.

- **Veterans Benefits:** If you are a veteran or a surviving spouse of a veteran, you wish is to stay at home or in assisted living as long as possible, or your ongoing medical expenses are consuming your monthly income, VA Aid and Attendance benefits may help pay for your needs. You must meet eligibility rules and certain asset and income limits apply. The amount of monthly benefit you can receive depends on your situation and expenses. The VA Accredited Attorneys at Maser & Amundson, P.A. will review of your personal situation in detail, outline the benefits available through the VA and help assess your eligibility to receive these benefits.
- **Life Care Planning:** Are your children and family members living out of state? Have you been diagnosed with a chronic health issue? Do you wish you had some guidance navigating your health care, finances, legal needs, living arrangements? If any of these ponderings resonate with you, then developing a Life Care Plan may help you. Life Care Planning law firms, such as Maser & Amundson, P.A., help clients and families identify wishes and goals, make decisions about where to live and how to meet care needs, how to pay for living care needs, and make sure all appropriate legal documents are in order to protect clients and their choices. Life Care Planning law firms also support families to understand their rights, roles and needs in the care giving process.

Maser & Amundson, P.A. is experienced in helping families overwhelmed or confused by all the decisions they must make about how to plan and pay for long-term health care. They are dedicated to assisting clients in making these important decisions and increasing their income to help defray their long-term care expenses.

If you would like to review your situation in detail and discuss how the information above may apply to you, please call us at 952-925-4147 to schedule an appointment or speak with one of our Elder Law attorneys.