

WHAT IS MEDICAID?

BY BEN KINIRY, ESQ.

Medicaid is (for many) the Most Important Form of Financial Self-Defense!

In case I have not had the opportunity to see you, I hope you and your family have a Happy New Year!

What if your spouse (or loved one) experiences a significant decline in health and needs nursing care immediately (or shortly thereafter), how would you pay for their care? You are no doubt aware of the high cost of long-term care, which is cost prohibitive for most families for any duration. How many months could you pay for? What financial position will you be left with to take care of yourself for the rest of your life?

Medicaid is likely the answer for you and in the running for one of the most important things you don't know enough about. In fact, if you are like most people, you have learned a little about Medicaid, and half of what you have learned is likely wrong in some fashion.

So, what is Medicaid? Glad you asked. The following paragraphs explain what you should know about the Medicaid program as a starting point. The following paragraphs were taken from a writing by the National Academy of Elder Law Attorneys, Inc. (NAELA).

THE ISSUE

Medicaid is a joint federal and state program that provides payment for medical care for persons unable to afford to pay.



Medicaid covers physicians' services, hospital care, supplies and other necessary services once a person has been made eligible for the program. It also pays for the expenses of longterm care in a nursing home.

The Medicaid program is administered independently in each state. While the basic eligibility standards are the same throughout the United States, there are significant differences between the state Medicaid programs. Despite these differences, eligibility is generally based upon the amount of assets a person has along with the income that the person receives. Eligibility is determined at state Medicaid offices and, in the case of married individuals; the assets and income of both spouses are considered in the determination process.



It is important to distinguish between Medicare and Medicaid. Medicare is an insurance program providing payment for medical needs for persons 65 and over and for certain people with disabilities. All persons 65 and over, regardless of financial resources or income, are eligible for Medicare. Medicare and Medicare supplemental insurance, however, provide very limited coverage with regard to the cost of long-term care in nursing homes. These non-covered services must be paid privately by the individual, unless the individual has coverage under a long-term care insurance policy. Medicaid, on the other hand, pays for medical needs for those of any age that have been determined to be eligible. In fact, a person with limited income and resources who has Medicare coverage may also qualify for Medicaid benefits.

WHAT YOU NEED TO KNOW

Medicaid is considered to be one of the most complex laws of the United States and, further complicating matters, each state has a different version of Medicaid. Many Elder Law attorneys have carefully studied the Medicaid statutes and regulations and are able to assist clients.

Medicaid is often of importance to middle-income Americans because Medicare does not cover the costs of long-term care for illnesses such as Alzheimer's disease or paralysis caused by a stroke. Most people who need such care for extended periods will eventually deplete their assets and become unable to pay the costs of their care.

(Con't. on pg. 21)

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(Laboe & Tasker Medicaid article cont'd. from p. 18)

At such a time Medicaid is available to pay the difference between their income and the actual costs of care provided in a nursing home, including room and board, as well as physicians' care, hospital care and all other reasonable necessary medical expenses. Medicaid covers the costs of such care in nursing homes, adult care homes, hospices, and, in appropriate cases, in the individual's own home.

If faced with the possibility of such long-term care expenses, there are many rules that you should be aware of and just three of them are:

- In determining eligibility for Medicaid payment for long-term care expenses, the eligibility team will review the individual's actual need for care, the person's available resources (including life insurance and retirement plans) and income received from any source. In some states, if monthly income exceeds a certain amount, then the individual is ineligible for Medicaid, even though the individual's long-term care expenses exceed his or her income.

- In determining eligibility, a person will be disqualified from Medicaid for gifts made within the previous few years.

- In determining eligibility for one spouse, the assets and income for both spouses are considered, regardless of pre-marital agreements, community property laws or the nature of the ownership of the asset.

Is Medicaid Part of Your Estate Plan?

Now that you know more about the Medicaid program, I strongly suggest that you establish a plan of action to apply for Medicaid with a competent Elder Law Attorney. If you are sixty-five years of age, or older, then your estate plan should have contingencies for a long-term care/Medicaid scenario. This is true of all families, but is even more critical in second marriages with children of a previous marriage of one spouse or both. No couples should wait for the crisis to occur. I can say from experience that families who have a plan in place generally come out on top, or in other words, they win and win big. This is both in regards to practicing financial self-defense and with creating as little stress on the family unit as possible.

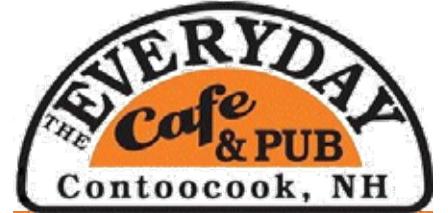
The information provided in this article does not constitute legal advice.



BOW POLICE LOG

**Bow Police
DECEMBER 2018 Arrest Log**

- 12/05** A juvenile was taken into protective custody for an involuntary emergency admission.
- 12/07** Amanda Parsons, 47, Penacook, was arrested on a warrant for breach of bail.
- 12/10** Joshua Brazier, 37, Loudon, received a summons for driving after revocation/suspension.
- 12/16** Benjamin A. Slowick, 28, Hillsboro, was arrested for resisting arrest/detention; An adult was taken into protective custody for intoxication; Michael Mullen, 57, Bow, was arrested for domestic violence; simple assault, and simple assault.
- 12/22** Scott Campbell, 35, no fixed address, was arrested for stalking, and driving after revocation/suspension.
- 12/23** Tyler Dow, 21, Bow, received summonses for suspended registrations, and driving after revocation/suspension; An adult received a summons for possession of marijuana.
- 12/26** Nicole Picknell, 34, Bow, was arrested on a bench warrant for driving after revocation/suspension.
- 12/30** Derek Schultz, 41, Jefferson, received a summons for operating without a valid license.
- 12/31** Adam Ward, 28, Pittsfield, received a summons for suspended registrations; Jonathan Salisbury, 31, Henniker, received summonses for driving after revocation/suspension subsequent offense, and suspended registrations.



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 Monday 6:03am-3:00pm
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 Wednesday 6:03am- 9:07 pm
 Trivia Night Wednesday
 Thursday 6:03am-9:07pm
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