



PIERRO, CONNOR
& STRAUSS, LLC

Trusted Counsel

Starting Soon...

MEDICAID MONDAY: HOLIDAY EDITION



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Welcome - Housekeeping

- Your lines are muted
- Type questions in the Q & A section at the bottom of your screen
- Presentation is posted: Pierrolaw.com/resources
- Fill out our Survey with feedback





Our Team Of Attorneys



Louis Pierro



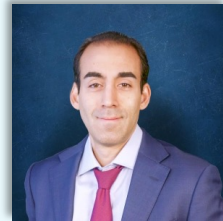
Aaron Connor



Frank Hemming



Peter Strauss



Anthony Khatchoui



Theresa Skaine



Arkley Mastro



Robert Bosman



Michael Mullaney



Verley Brown



Brent Stack



Tommaso Marasco



Patricia Whelan

Serving New York State Residents Through Offices in:

Albany, New York City, Ronkonkoma, Garden City, Hudson, Lake Placid, Utica, Clark NJ

Medicaid Monday: Year in Review

- November: Aging Services without Medicaid
- October: CDPAP – What’s the Story?\
- September: Potential 2025 Lookback – Are You Prepared?
- August: Home Care Applications - NYIA, MLTC & Immed. Needs
- July: Home Care Applications – Financial Eligibility
- June: Nursing Home Medicaid
- May: Medicaid Asset Protection Trusts
- April: Navigating Home Care – Finding Care and Paying for It
- March: Qualifying for Medicaid Home Care and Pooled Trusts
- February: ‘Well’ Spouse’s Rights in Medicaid
- January: 2024 Update and the New Numbers



pierrolaw.com/medicaid-planning-videos/

The Holidays Present An Opening!

- Families are gathering
- Face-to-face observations of changes in the health of loved ones

But, Many families are not having crucial conversations:

- Parent /child dynamic
- Don't want to discuss declining health
- No talking – it will never happen
- No mindset change




Why Crucial Conversations Are Needed Now!

- Are essential planning documents in place? (Health Care Proxy, Power of Attorney, Trusts, Wills, etc.)
- Is there a need for care?
 - If yes – has the need changed?
- Have family member roles been identified?
- Is there a plan to pay for care when needed?
- Have available resources been identified?

***“It will never happen to me”
mentality must go!***




Four Simple Questions To Parents (Aunt, Uncle, etc.)



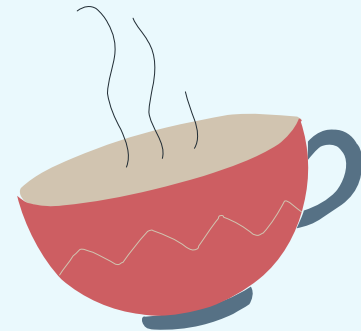
Where Do You Want to
Live as You Age?

How Do You Plan to
Pay for Care?



Do You Have the
Necessary Legal
Documents in Place?

How Can We
Support You?



Be Prepared for Pushback!

Minimization

“We’re fine. We don’t need help.”

Denial

“Stay out of our business. We have it covered.”

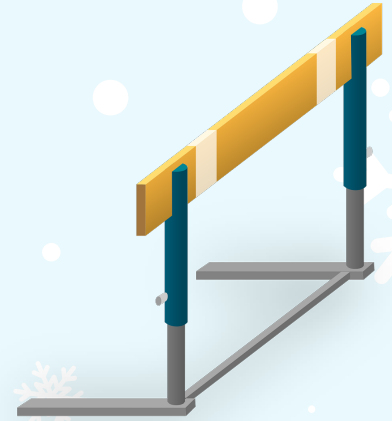
Avoidance

“I don’t want to talk about gloom and doom. We have a will.”



Overcoming Obstacles

- **Focus on support;** not criticism
 - Don't ask how much money they have!
- **Identify strengths** that enhance independence
- **Provide information** about changes and cost of care
- **Stress the importance** of proactive vs. crisis planning



Gather Your Team

- Elder Law Attorney
- Office for the Aging, Community Resources
- Primary Care Doctor
- Aging Life Care Coordinator

Elder Law Attorneys

- Choose an experienced, focused law firm
- Seniors know what lawyers do – acceptance, credibility
- Consultation can be done without charge or obligation – less threatening
- Home visits may be available

Aging Life Care Coordinator™

- Assessment and monitoring
- Planning and problem-solving
- Education and advocacy
- Family caregiver coaching



CORE FOUR – THE FOUNDATION

THE CORE ESTATE PLANNING DOCUMENTS

POWER OF ATTORNEY (POA)

HEALTH CARE PROXY (HCP)

DISPOSITION OF REMAINS
APPOINTMENT (DORA)

WILL



WILL

TRUST

VS.

Required:

- ✗ Probate: cost & delays
- ✗ Only takes effect after death
- ✗ No provision for incapacity
- ✗ No privacy – court papers filed in probate are public record
- ✗ Extra costs and delays if any beneficiary is a minor or disabled person
- ✗ No Asset Protection

- ✓ No Probate
- ✓ Manages Assets During Life and provides long term protection
- ✓ Provides for Successor Trustee upon death or incapacity - continuity
- ✓ Financial affairs remain private
- ✓ Must be 'funded' to be effective

***Major problem with ONLY having a Will:
Probate can take several months to several years!!!!***

Key Questions on Paying for LTC

1. **Where** would you want to live?
2. **Who** would take care of you?
3. **How** would you pay for it - \$200K+/yr!

Self-
Insuring

Private LTC
Insurance
+ Life
Products

Medicaid



Medicare vs. Medicaid

Medicare does not cover long-term care



Medicaid is the only government program that pays for LTC

Most Seniors Do Not Know!

Reality Check

2024 MEDICAID ELIGIBILITY NUMBERS

Monthly Income

Individual (at home)	\$1,752
Couple (both at home)	\$2,371
Minimum Monthly Maintenance Needs Allowance (MMMNA) ²	\$3,853.50

Resources

Individual	\$31,175
Couple (both at home)	\$42,312
Comm. Spouse Resource Allowance	\$74,820 (or the spousal share of 1/2 combined resources up to a maximum of \$154,140)

Numbers to be updated in 2025!

[Download Our Medicaid Guide Here](#)

Medicaid: Your Home? Or The Nursing Home?

Chronic Care Medicaid

Nursing Home Care

- 5-year lookback
- Transfer penalties = # of mos.
- “Rule of Halves” planning possible

Community Medicaid

Home Health Care

- Assisted living facilities (limited)
- Medicaid managed long-term care
- Consumer Directed Personal Assistance Program
- No lookback under current rules –
COULD BE CHANGING IN 2025!

Medicaid Planning Starts Now

- Analyze income and assets (if possible)
- Determine strategies to access information and fill in gaps in information
- Choose decision-makers
- Create a Medicaid Asset Protection Trust and complete Core 4 Documents

Take the Next Steps

With the right knowledge, services and supports in place, holiday conversations help begin the legal and caregiving **journey with peace of mind.**



**MONTHLY
MEDICAID MONDAY WEBINARS**
On the 2nd Monday of the Month

January 13, 2024
"2025 Update and the New Numbers"

REGISTER:
[Pierrolaw.com/events](https://www.pierrolaw.com/events)

Watch the Entire Series!



<https://www.pierrolaw.com/videos/>



30th Annual
**ELDER LAW
FORUM**

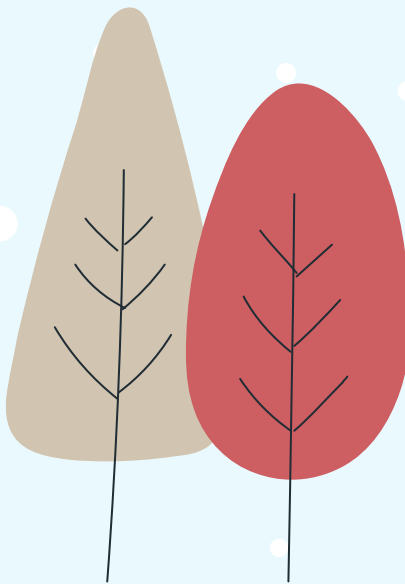
Thursday, May 15, 2025
Crowne Plaza Albany & Online

Interested in:
-Attending
-Sponsoring
-Speaking
-Suggesting a Session Topic?

CONTACT US AT:
www.pierrolaw.com/ELF



Questions?



**Schedule a
Consultation**

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