



Medical Assistance: "What's Going On?"

Building Advice on Shifting Sands

A value-packed seminar featuring top experts discussing the hottest issues including:

- New law – the 2009 changes – what's effective and what's not approved
- Understanding the moving target of eligibility today
- Handling transfer rules, anticipated changes and hardship waivers
- Planning for pesky assets – retirements, funerals, annuities, etc.
- Challenging adverse answers
- Understanding waiver adjustments and how they impact eligibility
- Double planning for the long term
- Planning with the 2009 amendments still awaiting approval – how to advise clients
- How to advise in an inherently uncertain times
- How trusts are treated under medical assistance
- How to properly administer a special needs trust
- And much, much more!

Monday, March 1, 2010

Minnesota CLE Conference Center

Seventh Street & Nicollet Mall • Third Floor City Center • Minneapolis

Video replay details inside.



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Monday, March 1, 2010

Video replays available.

Mark L. Anderson
Schmitz & Schmidt, P.A.; Saint Paul

* **Randy F. Boggio**
Garvey & Boggio, PA; Bloomington

Lisa J. Bowen
Thornton, Reif, Dolan, Bowen & Klecker, P.A.; Alexandria

* **Robert H. Chesley**
Chesley Kroon Harvey & Carpenter; Mankato

Allison J. Frasier
Maser & Amundson, P.A.; Richfield

* **Lori L. Guzman**
Guzman Law Firm, P.A.; Apple Valley

Laurie Hanson
Long, Reher & Hanson, P.A.; Saint Louis Park

* **Peter M. Hendricks**
Garvey & Boggio, P.A.; Bloomington

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Laura J. Zdychnec
Long, Reher & Hanson, P.A.; Saint Louis Park

* **Julian J. Zweber**
Attorney at Law; Saint Paul

SCHEDULE

8:30 – 8:55 a.m. Registration & Continental Breakfast

8:55 – 9:00 a.m. Welcome & Introduction

9:00 – 9:40 a.m. Eligibility Today – The Basics Brought Up-to-Date

Medical Assistance for long term care; it's a moving target. This session will hit the bull's-eye so we all have a common understanding of the eligibility rules in effect on March 1, 2010.

Jeffrey W. Schmidt

9:40 – 10:20 a.m. 2009 Changes – The List. What's Effective Now and Later

This segment focuses on what changes to Medical Assistance have been approved by the Minnesota Legislature but are not effective yet and not approved yet by CMS.

Robert H. Chesley

10:20 – 10:30 a.m. Break

10:30 – 11:00 a.m. Transfers Today and Tomorrow

Minnesota is more than three years into the five year phase in of the Medical Assistance transfer laws. This session will review these laws, how they are anticipated to change effective January 1, 2011, and the use of hardship waivers where transfer penalties are imposed.

Cathryn D. Reher

11:00 – 11:50 a.m. Pesky Asset Problems in Medical Assistance

Some client resources can impact Medical Assistance eligibility and cause problems if improperly set up and are more difficult to evaluate under the Medical Assistance rules, and the Manual.

Real Property Valuation – Julian J. Zweber

Retirement Plans – Julian J. Zweber

Prefunded Funerals – Allison J. Frasier

Annuities – Cathryn D. Reher

Promissory Notes/Family Loans – Lisa J. Bowen

11:50 a.m. – 12:20 p.m. How, When and Why to Challenge the Adverse Answer – a Case Study Panel

Randy F. Boggio, Laurie Hanson, Paul D. Reuvers & Jeffrey W. Schmidt

12:20 – 12:30 p.m. Questions and Answers

12:30 – 1:15 p.m. Lunch (on your own)

1:15 – 1:45 p.m.

Elderly Waiver “Adjustments”

This session will review changes in legislation affecting Elderly Waiver, most of which will take effect in 2011. Be prepared to help your clients understand these “adjustments” and how they may impact eligibility for Elderly Waiver.

Laura J. Zdychnec

1:45 – 2:05 p.m.

Double Planning for the Long Term

The five year lookback for transfer of assets and the longer reach of estate recovery has made asset protection planning increasingly difficult for married couples. Thus couples should consider planning not only for the disabled/elderly applicant spouse, but also for the community spouse as part of the same five year lookback period – “double planning.”

Stuart E. Schmitz

2:05 – 2:35 p.m.

Estate Recovery

While the *Barg* case is final, uncertainty in estate recovery prevails. The 2009 legislative amendments to estate recovery are sweeping and are awaiting federal approval. This session reviews the changes to estate recovery and how attorneys can advise clients and surviving spouses of Medical Assistance recipients in light of the 2009 amendments.

Randy F. Boggio & Peter M. Hendricks

2:35 – 2:45 p.m. Break

2:45 – 3:15 p.m.

Thorough Advice So the Client Understands the Uncertainty – How to Advise in the Inherently Uncertain Times

Mary Frances Price & Kris L. Maser

3:15 – 3:35 p.m.

Trust Availability

Trusts are treated differently depending on who created them, when they were created, why they were created, and their specific terms. This session presents an overview of Medical Assistance treatment of various types of trusts.

Mark L. Anderson

3:35 – 4:05 p.m.

Trust Administration

Executing a special needs trust agreement is only the first step when sheltering the assets of a person with a disability from medical assistance and supplemental security income mandated asset limitations. Failure to properly administer a special needs trust may inadvertently terminate the trust; exposing trust assets to potential creditor claims and litigation. We will present some hidden landmines of trust administration and discuss ways to recognize and avoid them.

Lori L. Guzman & Janet E. Totter

4:05 – 4:15 p.m. Questions and Answers

SEMINAR INFORMATION

LIVE PRESENTATION

Monday, March 1, 2010
Minnesota CLE Conference Center
Seventh Street & Nicollet Mall
Third Floor City Center, Minneapolis

VIDEO REPLAYS

Schedule times for replays may differ from live presentation due to abbreviated lunch and break periods. Start times are as indicated below. Please register at least one week in advance to secure your copy of the course materials on the day of the seminar.

Minneapolis – 3/18/10 & 4/5/10
(Registration 8:30; Replay 9:00)
Minnesota CLE Conference Center
Seventh Street & Nicollet Mall
Third Floor City Center

Albert Lea – 4/9/10
(Registration 8:30; Replay 9:00)
Christian & Peterson
314 South Broadway

Duluth – 4/30/10
(Registration 8:30; Replay 9:00)
Radisson Hotel Duluth—Harborview
505 West Superior Street

Mankato – 5/7/10
(Registration 8:45; Replay 9:00)
SMRLS Office
12 Civic Center Plaza, Suite 3000

Marshall – 6/11/10
(Registration 8:30; Replay 9:00)
Lyon County Government Center
607 West Main Street

Moorhead – 4/23/10
(Registration 9:00; Replay 9:15)
Moorhead Public Library
118 Fifth Street South

Rochester – 4/2/10
(Registration 8:30; Replay 9:00)
Minnesota School of Business
2521 Pennington Drive NW

CREDITS

Minnesota CLE is applying to the Minnesota State Board of CLE for **6.0 standard CLE credits**. The maximum number of total credits you may claim for this course is **6.0**.

ACCOMMODATION

If you have a disability and need an accommodation in order to attend this seminar, please contact us as soon as possible at 2550 University Avenue West, Suite 160-S, Saint Paul, MN 55114 or call us at 651-227-8266 or 800-759-8840.

CANCELLATION POLICY / NO-SHOW POLICY

Paid registrants who cancel their registration at least 72 hours before the program will receive a full credit on their account; if fewer than 72 hours, a \$25 administrative fee will be deducted. Paid registrants who fail to attend will receive the written materials. Passholders may purchase the course materials at 50% of the full retail price.

QUESTIONS?

Please call Minnesota CLE at **651-227-8266** or **800-759-8840** or visit us on the web at **www.minncle.org**.

REGISTRATION/ ORDER FORM

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Monday, March 1, 2010 | Minnesota CLE Conference Center

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VIDEO:

- \$195 MSBA member \$245 standard rate
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