



## Feature

### Lawyers Who Practice: Elder Law

*These articles talk about Elder Law and the seniors whose plan is to age at home or a nursing home and protect assets. Protecting assets means estate planning, tax law and perhaps some trust planning. Also, seniors are thinking about getting their health care and life insurance packages in line so there will be minimal expenses in the future years. Seniors want a lawyer who understands the needs they have at this age.*

What is Elder Law? The baby boomers have reached and continue to reach their senior years on and after the age of 60. Anyone born between 1946 and 1964 are becoming eligible for Medicare, Social Security or Disability. Elder Law addresses the myriad of choices affecting many of us, our parents and grandparents. This has required a new breed of lawyers focusing for a career in these issues; health care law, disability law, probate law or trust administration and tax law.

Elder Law considers how one prepares for the future, senior years of possible health care, long-term care, and other circumstances eventually faced by the elderly and disabled individuals and their families. There is a 40% chance that every senior adult will face the need of some sort of long-term care before they die. It is a wise decision for everyone to consider that at some time in their older years a residency in a nursing home or an assisted living facility may be necessary.

Planning for any type of future long-term care should come to the desk long before it is a reality. The rising cost of nursing home care can be a huge expense that can eliminate the remaining family inheritance. The nursing home can be privately paid or the alternative that so many people go for these days is Medicaid.

It is reality that people have at least two looming questions about planning their retirement and nursing home costs.

1. First, many believe that nothing can be done to protect accumulated assets from nursing home costs.

This is an issue where a Lawyer with experience in Elder Law can help. There are things like property, savings; anything you have spent years of your life accumulating that can be guarded from impending long-term health care costs.

2. Second, the Deficit Reduction Act did affect Medicaid for many seniors. What did it change for you and your eligibility?

A lawyer can interpret how the Act will affect you as a senior. There are many rules to be eligible for Medicaid and other legal stipulations that can cause you to lose the benefit of Medicaid when entering a nursing home. These laws are really important when one spouse requires long-term care. What does the remaining spouse do to continue living on his own and pay for the long-term care expense of his ailing spouse? Being able to qualify for the support of Medicaid during these times can make a profound impact. Find a lawyer well-versed in Elder Law who can help you strategically plan for receiving Medicaid in the future.

This area of Elder Law is not new but is in more demand today than it ever was before. Many Baby Boomers are stepping into the age of Disability, Social Security and Medicare. New laws need to be interpreted for them and guidance given from a new breed of lawyers who understand Elder Law and are equipped to help these seniors make a smooth transition.

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