

## Medicaid And The “Greatest Generation”

In *Newsweek* of March 26, 2007, in an article titled “How to Pay for Old-Age Care,” writer Jane Bryant Quinn discusses how older Americans can cope with long-term care expenses. Medicaid is widely available, and not just for the poor, she asserts. “The majority of Americans can get Medicaid,” she says. “Not only



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are middle class people accepted, but some of the affluent have squeezed in, too...” The writer never defines “poor,” “middle class” or “affluent,” or offers statistics to back up her comments. I wonder what universe she lives in, for in my universe—one in which I constantly interact with older Americans and their families—the reality is quite different from her description. First, the affluent rarely seek to “squeeze in.” Not only do they not need Medicaid benefits, but the strategies Quinn says lawyers can use for making someone Medicaid-eligible can actually end up costing wealthy families more

in the long run because of unfavorable estate tax consequences.

As for middle class couples, they are definitely not readily accepted—unless they are willing to impoverish themselves or use the services and advice of a certified elder law attorney. The typical middle class family who consults with me has worked hard

and saved diligently for decades, and amassed a modest nest egg they’ve long hoped would be sufficient to carry them through their golden years with a modicum of dignity. Now, with one spouse so ill as to require round-the-clock nursing care, they fear that they will be financially decimated before Medicaid ponies up a cent.

Miss Quinn goes on to say that “affluent” couples (there she goes again) “can and should protect themselves” by buying long-term care insurance. I concur and recommend this to all my clients. Unfortunately, these policies are often so expensive, and

the health criteria so stringent, that many people are shut out.

Older Americans—the “greatest generation” politicians claim to so admire—are being abandoned by the health care system at their most vulnerable time of life. Medicare does not cover their long-term care, and Medicaid won’t kick in until they’ve lost virtually everything. It’s no wonder middle class Americans do Medicaid planning—it’s the only logical step left to them to avoid being plunged

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into poverty. Oddly, when older middle class Americans try to hang onto what they have with lawful Medicaid planning, Ms. Quinn finds it repugnant. Yet she and a myriad of others enthusiastically embrace all kinds of legal maneuvers that permit the very wealthy to minimize and even

avoid paying all kinds of taxes. As a taxpayer and a citizen, I find this kind of double standard disturbing.

If you are an older American and you haven’t managed to become very rich or find a crystal ball to guarantee you’ll stay healthy, I suggest the following. First, write your elected officials in Washington and request that long-term care be covered by Medicare. Secondly, as Ms. Quinn rightly points out, get quality long-term care insurance if you can. Lastly, if you’re presently faced with the grim prospect of losing all you’ve worked for through the years to nursing home expenses, consult a certified elder law attorney to determine if Medicaid planning is appropriate for you and your family.

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