

# In Touch



FLORIDA HEALTH CARE  
SOCIAL WORKERS ASSOCIATION

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The official newsletter of the Florida Health Care Social Workers Association

## FHCSWA is Daytona-bound

Florida Health Care Social Workers Association

**2008 ANNUAL CONFERENCE**  
**Long-Term Care Social Workers**  
**Unite to Touch Lives**

**Hilton Daytona Beach Ocean Walk Village**  
**July 14-16, 2008**

**"FHCSWA's annual conference is the must-attend event of the year for all social workers in long-term care!"**

- ✓ Amazing lineup of speakers and cutting-edge topics will update you professionally.
- ✓ Get to know everyone at the "Meet & Greet" reception on Sunday, July 13.
- ✓ Registration fee for additional members from the same "member" facility is ONLY \$175 per person (see details).
- ✓ Registration fee includes 3 breakfasts, refreshment breaks, and 2 lunches.
- ✓ Enjoy the excitement of the 2008 Social Work Award of Excellence presentation.
- ✓ This conference will be approved for CE's for LCSW's, LMHC's, and LMFT's, with contact hours provided by NASW-Florida Chapter.
- ✓ Very special FHCSWA conference hotel room rate is \$115 plus tax (single or double occupancy).
- ✓ Special hotel room rate is good for 3 days before and after the conference.
- ✓ Have fun in Daytona Beach at the Dine-Around on Tuesday evening.
- ✓ Stay at the stunning convention hotel right on the beach — The Hilton Daytona Beach Ocean Walk Village.
- ✓ Register online at [www.fhcswa.net](http://www.fhcswa.net).

Call (561) 659-5581 now for details!

**Don't be left behind: See pages 8 and 9!**

# Tougher Medicaid Rules Squeeze Middle Class

By Joseph S. Karp, JD, Certified Elder Law Attorney



Florida has enacted tough new Medicaid laws that will make it more difficult for your clients to secure Medicaid long-term care benefits. Patients and families without long-term care insurance or sufficient resources to pay privately are likely to conclude they simply must go broke before the state provides assistance. Fortunately, this isn't necessarily the case. It's not impossible for middle-class families to secure benefits — but it will require more advance planning, preferably well before nursing home admission is imminent.

Here in a nutshell are the most important changes:



Joseph S. Karp

## Look-back Periods:

For all transfers made after Nov. 1, 2007, the look-back period is increased from three to five years.

## Penalty Period:

The penalty period for transfers now starts on the date your client applies for Medicaid benefits and would otherwise be eligible for

Medicaid but for the gift. Obviously, this creates even more financial peril for families.

## Asset Status of Home:

Under the old regulations, the applicant's primary residence was an exempt asset. Now, only \$500,000 in equity is exempt. Any excess equity counts as an asset from the point of view of Medicaid spend-down. An exception is made if the spouse, or a

child under 21 or disabled, lives in the home.

When it comes to securing Medicaid benefits, time is not your clients' friend. Nor is trying to go it alone. Given the complexity of the Medicaid laws and their propensity to change, any applications or asset transfers should be made with the guidance of a certified elder law attorney experienced in this area of law.

*Joseph S. Karp is a nationally-certified and state-certified elder law attorney with offices in Boynton Beach, Palm Beach Gardens and Port St. Lucie.*

## FHCA/FHCSWA Districts

—Listed by County—

- District I:** Miami-Dade, Monroe
- District II:** Lake, Orange, Osceola, Seminole, Sumter
- District III:** Hardee, Highlands, Polk
- District IV:** Hillsborough, Pasco (east of longitude 82°31' west)
- District V:** Hernando, Pasco (west of longitude 82°31' west), Pinellas
- District VI:** Charlotte (includes north of the Peace River), DeSoto, Manatee, Sarasota
- District VII:** Glades, Hendry, Palm Beach
- District VIII:** Alachua, Bradford, Citrus, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Marion, Suwannee
- District IX:** Baker, Clay, Duval, Nassau, Putnam, St. Johns, Union
- District X:** Bay, Calhoun, Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, Madison, Taylor, Wakulla, Washington
- District XI:** Broward
- District XII:** Escambia, Holmes, Okaloosa, Santa Rosa, Walton
- District XIII:** Indian River, Martin, Okeechobee, St. Lucie
- District XIV:** Flagler, Volusia
- District XV:** Brevard
- District XVI:** Charlotte (includes south of the Peace River), Collier, Lee

## OBTAINING VETERANS AID AND ATTENDANCE PENSION BENEFITS

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their income is too high. Of course, this may not be true.

The application form provides no information on the existence of this special treatment for annualized medical expenses. If the initial application involving annualized costs is not done correctly, delays in record gathering could force the award decision to take up to a year, or the eventual award could be substantially reduced or even denied. The applicant must wait another full year to reapply or go through a time-consuming appeals process to correct any unfavorable decisions.

The secret for receiving a successful award for A&A or housebound ratings

is not in filling out the form but in knowing what documents and evidence must be submitted with the application. Knowing the secrets for a successful award — with the special case of long-term care recipients — is 95 percent of the battle. Filling out and filing a claim is a formality.

A knowledgeable claimant can provide information to shorten VA's decision window of six to 12 months to possibly three or four months.

Until now, the knowledge for applying for the A&A Pension benefit has been a well-kept secret, known only to a handful of consultants nationwide.

The National Care Planning Council recently published a first-of-its-kind handbook to teach practitioners how to help their clients obtain this benefit. For more information, please go to the following URL at [www.longtermcare.link.net/a16veterans\\_books.htm](http://www.longtermcare.link.net/a16veterans_books.htm).