
NEWS ALERT - CHANGES IN ELDER LAW

We are many times able to help our clients protect their assets from a long-term care spend down and devastating loss of lifetime savings. Please call us if you wish to discuss plans to protect your assets.

-
1. *Will Medicare pay for my nursing home costs? No. Medicare covers nursing home costs for only up to one hundred (100) days. However, Medicaid will pay for nursing home costs for eligible individuals.*
 2. *How much does nursing home care cost? Nursing home care in North Carolina costs approximately \$5,000.00 to \$6,000.00 per month.*
 3. *How do I become eligible for Medicaid? In general, you must spend down all of your "countable" assets until you have only \$2,000.00 remaining before you will receive Medicaid benefits. However, with proper legal advice, there are many ways to avoid spending down assets and still receive Medicaid benefits.*
 4. *Can I give all of my assets to my children to become eligible for Medicaid? No. Gifting "countable" assets to anyone other than your spouse will create a period of Medicaid ineligibility. This is referred to as a sanction period.*
 5. *How do I apply for Medicaid? In Carteret County, Medicaid applications are processed at the Carteret County Department of Social Services in Beaufort. A Medicaid case worker is assigned to each file, and will collect the required information from you to process your application.*

6. *If I have to go into a nursing home, can I put all of my assets in my wife's name to become eligible for Medicaid? No. The total value of all "countable" assets, whether in the husband's name, the wife's name, or held jointly are calculated to determine Medicaid eligibility.*
7. *Can I be forced to sell my home to pay for my long term health care? Yes. In general, if you own your home, and your spouse is not still living in the home, the home becomes a "countable" asset, and would have to be sold, and the proceeds spent before Medicaid benefits are received. However, the home and all real estate can be protected if the proper legal planning is prepared in advance.*
8. *Do I need long term care insurance? Possibly. Long term care policies usually provide at home care coverage in addition to coverage for individuals in a facility. Most long term care policies are limited by term and dollar amount. The insurance premium increases with longer terms and higher dollar amount coverage. Many people opt to purchase limited long term care policies and have Medicaid asset structuring prepared just in case they out-live their long term care policy.*
9. *What is the difference between an assisted living facility and a nursing home? Assisted living facilities usually provide an apartment-like setting with on-staff nursing assistants and oversight. Nursing homes are based on a strong medical care requirement, and the care is provided by nurses, nurse's aides, therapists, and other medical professionals.*
10. *Does Medicaid pay for at home care? Traditionally Medicaid does cover at home care through the Communities Alternatives Program. However, there is currently a significant waiting period for assistance under this program.*