Agenda

MassHealth Long-Term Care Update

MassHealth qualification strategies
• Proposed regulation update
• Advanced planning strategies in 2020: trusts, estate planning, caregiver agreements, lease agreements
• Crisis planning strategies in 2020: annuities, pooled trusts, sole benefit trusts, caretaker child care

Navigating the Continuum of Care from both a Legal and Clinical Perspective in the Wake of the COVID-19 Pandemic

How the senior living landscape has changed over the last nine months and what to expect for the next nine
Overview of community-based care options
Integrating public benefits to help finance community-based care
How to collaborate with aging life care advocates to address new clinical and placement concerns
Why every elder law attorney needs an Aging Life Care Advocate now more than ever

The MassHealth Application Process

Obtaining verifications and preparing the application
Meeting deadlines and setting client expectations
Understanding MassHealth notices and maintaining eligibility

Long-Term Care Insurance

How creative is the long-term care industry, really?
What options are available in the long-term care insurance arena?
Long-term care insurance exemption

MassHealth Issues in the Probate Court

Conservator’s authority to engage in long term care planning
When can you use declaratory judgment actions?
Explaining long term care planning to the probate court
Filing MassHealth applications as a conservator

Cries and Whispers: Negotiating Estate Recovery Claims and Representing Clients at Administrative and Judicial Proceedings

The art and science of negotiation with the estate recovery unit and general counsel/attorney general’s office
Best practices for representing clients at the board of hearings and in superior court administrative appeal cases
Fair hearing and judicial appeal basics
Estate recovery basics
Exceptions to estate recovery: long-term care insurance, waivers and deferrals
The Medicaid annuity conundrum: dealing with contested beneficiary designation claims
Litigating disputed estate recovery claims

Learning Objectives

You’ll be able to:

Review MassHealth qualification strategies, advanced planning techniques and crisis planning strategies.
Outline the MassHealth application process.
Understand long-term care insurance and the long-term care insurance exemption.
Examine MassHealth issues in the probate court.
Study continuum of care issues from both financial and clinical perspectives in the COVID-19 pandemic.
Discuss the negotiation of estate recovery claims and representation of clients in administrative and judicial hearings.

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