

If you are viewing this website, you are probably faced with the imminent need to place a loved one in a skilled nursing facility because, suddenly, your loved one needs round the clock skilled nursing home care.

We are not talking about assisted living.

We are not talking about board and care.

We are not talking about residential care.

We are talking about 24/7 skilled nursing home care.

Right now, skilled nursing home care is going to cost at least \$6,000 to \$7,000 per month. That's up to \$84,000 per year. In fact, the California State wide average is presently \$7,549 per month. That is \$90,588 per year.

In fact, it is projected that five years in a private room in a skilled nursing facility is going to cost approximately \$500,000.

Most of us cannot afford that, and, even if we can, it is devastating, in that the accumulation of an entire lifetime has to be wiped out, in order to provide for a relatively short term of end of life health care.

This is on top of hospital, doctor bills, and pharmaceuticals.

IS THIS THE WAY IT HAS TO BE?

NO!

When Congress, together with the California legislature, considered the needs of patients requiring this level of long term care, they left us some room to finance this cost, without having to reduce ourselves to being paupers.

TRANSLATION – California's version of the Federal Medicaid program, known as Medi-Cal, will essentially pay the bill, and we can keep our home and a substantial portion of our assets.

There are certain income restrictions, but most of those can be dealt with.

The objective of this website is to help walk you through the minefield, and educate you enough so that you know that it can be done; that the cost of caring for your loved one can be borne by the State of California, and if a spouse or dependant remains at home, they can be provided for, before any of the patient's income must be paid to the nursing home.

Please view the tutorial that follows this introduction, in order to get a better understanding of the opportunities and the boundaries of what is possible, in terms of estate planning that helps you obtain the benefits from the State of California, and, at the same time, preserve and protect your home and other assets.

At Elder Law Center, P.C., we help you qualify to be eligible for Medi-Cal benefits, and we help you to preserve and protect your assets.

We have been doing so in the Riverside and San Bernardino County Community for over 20 years.

That is what elder law is, helping you and your loved one to navigate through the treacherous waters of disability and incapacity. We can be reached at (951) 684-5608 or toll free at 1-800-660-5668.

Ronald W. Ask is the attorney who will know what to do.

Let's try to answer some questions.

Despite the fact that the average cost per month for skilled nursing home care is \$7,549 per month, we can provide you with certain strategies that will enable you to qualify your loved one for Medi-Cal benefits, so that the State of California will pay most of your skilled nursing home costs.

Medicare is NOT Medi-Cal.

First, please be aware that Medicare is not Medi-Cal. Medicare pays for doctors and hospitalization and a very limited nursing home stay (only when a patient spends at least three days in a hospital and then goes directly into the nursing home will Medicare pay for up to 100 days, but even then, after 20 days, you must pay a \$152 co-pay. That is \$4,560 per month for the remaining 80 days). After that, Medicare, does NOT pay for nursing home costs.

Long Term Care Insurance (LTCI) is your Best Option.

Long term care insurance is the best way to protect yourself from an eventual nursing home stay. A good LTCI policy can pay for all costs associated with a nursing home or an in home stay. However, once your loved one is in a nursing home, or even above 70 years of age, he or she is usually no longer able to obtain long-term care insurance. Unfortunately, most of the people who buy long-term care insurance are the children of private pay nursing home residents, who are watching their inheritance be paid to the nursing home each month.

Medi-Cal is Complicated

Medi-Cal law is very complicated. So what follows is a very basic explanation of some of the rules and strategies that are available to help your loved one qualify. These are the basic Medi-Cal qualification rules for an individual in California. There are other rules that govern a married couple's ability to qualify.

A person seeking Medi-Cal government benefits must be over 65 years of age or blind or disabled, must be a US citizen, must be in need of care (you cannot say that you have a "bum knee" and expect the government to pay for your nursing home care). Your income must be less than the nursing home costs. For example if the private pay cost of the nursing home is \$6,000 per month and your loved one receives \$8,000 a month from a large pension, he or she will not qualify. (Medi-Cal would make you utilize your personal income to pay for the care.) Finally, your loved one (if unmarried) must have assets less than \$2,000.

Not to worry. Some assets are not "countable," and certain assets are "exempt." Sometimes the law permits us to change the character of property from "countable" to "non-countable" or to exempt. For example, your loved one's family residence is not counted as part of the \$2,000 limit on assets. Sometimes, we are permitted to turn a liquid asset into an income stream.

Department of Health Services (Medi-Cal Recovery)

You should be aware that Medi-Cal does not "give" your loved one that money to pay the nursing home. In a sense, Medi-Cal merely "loans" your loved one the money. You will find out about this when your loved one dies, or, at least when both your loved one and his or her spouse has passed away. That is when the Department of Health Services will be coming to knock on your door, just like those gentlemen from Las Vegas, and they will expect their money back out of the proceeds of the sale of your loved one's home.

So, we have the additional chore of doing what is necessary to protect your loved one's home from the unforgiving reach of the Department of Health Services.

Once all of this is tidied up, your loved one's long-term care costs will have been paid for by the state of California, and the bulk of your loved one's estate will be intact, ready to be passed down to the kids.

To sum up then, this area of law is very complicated, and each case has to be analyzed for its own nuances. However, with proper planning, and the help of an

experienced elder law attorney, a person can save most of their estate from being paid to the nursing home.

For a more in depth analysis, go to www.elderlawcenter.net/tutorial, for a thirty page analysis by Attorney Ask.

Attorney Ask has been practicing law since 1982, and has over 20 years' experience in the field of Elder Law and Estate Planning. He is a member of the National Academy of Elder Law Attorneys and the California State Bar Association. His firm is Elder Law Center, P.C. in Riverside California.

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