

# **Medicaid Planning**

## **(2 Hours; 41 Pages of Text)**

- 1) Introduction
  - a) What is Long Term Care?
  - b) Won't Medicaid pay for long term care expenses?
  - c) Won't Medicare cover a client's long-term care costs?
- 2) Three ways to pay for nursing home care
- 3) Medicaid Planning
- 4) Planning in Advance of a Nursing Home Stay
  - a) Long-Term Care Insurance
  - b) New LTC products
  - b) Ethics of Medicaid Planning
- 5) Divestment Planning
  - a) What is a "divestment penalty period?"
  - b) Serial Divestment
  - c) Half-a-Loaf Planning
  - d) Reverse half-a-loaf planning
  - e) Reverse half-a-loaf planning with a Medicaid compliant annuity
- 6) Pre-"Look Back" Planning
- 7) Annuities and Trusts
  - a) Annuities that May Qualify for Exclusion
  - b) Trusts that Qualify for Exclusion
  - c) Medicaid Annuity Trust
  - d) Supplemental Needs (d)(4)(A) Trusts and (d)(4)(C) Pooled Trusts
- 8) Immediate Need Medicaid Planning
  - a) Establishing Medicaid Eligibility
  - b) "Spending" Assets
  - c) Major Asset Exclusions
    - Homestead
    - Vehicle
    - Life Insurance
    - Burial Spaces and some Funeral Contracts.
    - Personal/Household Goods
    - Retirement accounts
    - Medicaid Annuities or Medicaid Trusts.
    - Ongoing Business Concerns
    - Immediate Medicaid

- 9) Countable Resources Spending Assets
  - a) Major asset exclusions
  - b) Homestead
  - c) Vehicle
  - d) Life Insurance
  - e) Irrevocable funeral and burial contracts or insurance policies
  - f) Personal/Household Goods
  - g) Promissory Note
  - h) Medicaid annuities or Medicaid trusts
  - i) Ongoing Business Concerns
  
- 10) How to Categorize and Protect Resources
  - a) A Closer look at the resources
    - Cash
    - Checking accounts
    - Investments
    - Non-qualified accounts
    - IRAs/401(k) plans
  - b) Paying off debt
  - c) Home improvements
  
- 11) Medicaid Compliant Annuities
  
- 12) Medicaid Trusts
  
- 13) Too Much Income Can Be a Bad Thing
  - a) Income qualification rules
    - Single person
    - Case 1: Single person
    - Income cap states vs. spend-down states
    - Married person
    - Case 2: Married
  - b) The Minimum Monthly Maintenance Need Allowance
  - c) How to pay nursing home costs during the penalty period
  
- 14) Divorce as an Option
  
- 15) Follow up (Post-Eligibility) Planning
  
- 16) Estate Recovery
  - a) What is Estate Recovery?
  - b) Whose estates are subject to Estate Recovery?
  - c) What are "undue hardship" waivers?
  - d) When will estate recovery be delayed?
  - e) What about property that is not in the estate?
  - f) Exempt Transfers