

**MSBA ELDER LAW SECTION E-NEWSLETTER**

May 2, 2022

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Communications Committee Chair: Lucas Spaeth

Editor in Chief: Margaret (Maggie) Cook

Web Coordinator: Lucas Spaeth

Contributors:

**ELDER LAW NEWS AND HIGHLIGHTS**

**Elder Law Governing Council Candidate and Officer Slate**

**Candidate Slate for the Elder Law Governing Council:**

1. Amber Hildebrandt
2. John Austin
3. Laura Orr
4. Marit Peterson
5. Mary Frances Price
6. Cathryn Reher
7. Bridget-Michaele Reischl
8. Suzanne Scheller
9. Traci Sherman
10. Ruthanne Vos
11. Maya Missaghi
12. Kate Graham
13. Bobbi Hermanson-Albers
14. Lori McLaughlin
15. Margaret M. Cook
16. Christy DePasquale

**Officers:**

1. Chair – Callyn Bedker
2. Vice Chair – \_Lauren Fink
3. Treasurer – Jill Sauber
4. Secretary – Genevieve Gaboriault

Please submit upcoming news and highlights to [mcook@vgllaw.com](mailto:mcook@vgllaw.com).

**MAY CLE AND EVENTS**

## **The Nuts and Bolts of Medicare Appeals - Parts A & B, Medicare Advantage (Part C) and Medicare Prescription Drugs (Part D)**

Friday, May 13, 2022 from 12:00 P.M. TO 1:30 P.M.

Not all Medicare appeals are created equal -- the process and rules vary between the various Medicare Parts. Understanding the benefits coverage for each Medicare Part, as well as the rules and procedures is critical for effective advocacy.

During this CLE, the presenters will address the procedure, rules and supporting evidence necessary for an effective Medicare Appeal for each Part. This CLE is designed to provide attorneys with a toolbox for “ready” representation of a Medicare recipient when their insurance benefit has been denied.

**This CLE is free to Elder Section Members.**

Presenters:

**Kelli Jo Greiner**, Health Care Policy Analyst/Medicare Product Manager  
Minnesota Board on Aging | Minnesota Department of Human Services

**Elizabeth Wrobel**, Partner, Wrobel & Smith, PLLP

Interested attendees may register here: <https://www.mnbar.org/members/cle-events/event?EventID=5134>

## **Palliative Care, Hospice and End of Life Choices**

Thursday, May 19 at 12:00 P.M.

Hospice is generally thought of as the last resort for someone near death. But hospice services are increasingly being used by elder law clients as a way to increase quality of care for their loved ones living in a care facility. What are the ramifications of this as attorneys seeking to educate our clients on their rights, options and limitations? How does the care industry handle coordination of care once hospice has been added to a patient’s services?

This CLE will consist of a discussion between an experienced medical professional and an elder law attorney who will talk about the various issues that come up around hospice care and what future developments/improvements could look like. We will emphasize what palliative care and hospice are (and aren’t) as well as the Hospice Bill of Rights for patients and the advantages and consequences to consider when deciding to start hospice services.

Presenters:

**Dr. Jason Kallestad, MD**, Ridgeview Specialty Clinic and at Ridgeview Medical Center

**Suzy Scheller, Esq.**, Scheller Legal Solutions, LLC

**Maya Missaghi, Esq.**, Missaghi Law, PLLC

*All MSBA programming is currently REMOTE-ONLY participation. There is NO in-person attendance.*

*For the MSBA statement on COVID-19 click [here](#). Thank you.*

Please submit upcoming CLEs to [mcook@vgllaw.com](mailto:mcook@vgllaw.com).

## **ELDER LAW SECTION ACTIVITIES**

### **ADVOCACY SUPPORT COMMITTEE:**

The Advocacy Support Committee meets remotely at the call of the chair.

Upcoming meeting dates to be announced.

### **AWARDS COMMITTEE:**

The Awards Committee Chair is appointed by the incoming Council Chair after the Council Chair takes office each year. The current Committee Chair is Julian J. Zweber. Members of the Committee are appointed each year by the Council Chair on recommendation by the Committee Chair as approved or modified by the Council Chair. The Committee usually meets from July to October of each year, at the call of the Committee Chair. Nominations will be accepted year-round by the Committee from Section members for Section Awards to be presented at the next Elder Law Institute sponsored by MN CLE, usually in October of each year. For more information, please contact Julian J. Zweber at 651-646-4354 or [julianzweber@qwestoffice.net](mailto:julianzweber@qwestoffice.net).

### **COMMUNICATIONS COMMITTEE:**

The Communications Committee oversees the monthly Elder Law E-Newsletter and the Elder Law Section website. The committee is composed of the e-newsletter editor, web editor, associate editors, contributors, and any other interested section members. Meetings will be held remotely every other month to review issues related to the e-newsletter and the website, and to conduct an annual member survey.

The Communications Committee will meet on **June 8, 2022 at 8:30 A.M.**

The meeting will be arranged by video chat on Zoom or Microsoft Teams. The meeting link will be emailed to all committee members. Anyone interested in joining the meeting should email Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) for a link to the meeting.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) or (612) 676-6302.

### **DIVERSITY COMMITTEE:**

The Diversity Committee meets with the Education Committee via Zoom at this time. Please see the Education Committee meeting information for meeting times/dates. If you have any questions or would like to join us, please contact the current chair, Maya Missaghi, at [maya@mmlawservices.com](mailto:maya@mmlawservices.com).

#### EDUCATION COMMITTEE:

The Education Committee plans CLE seminars sponsored by the Elder Law Section and meets via Zoom on the second Thursday of each month from 9:00 A.M. to 10:00 A.M. Subcommittees of the Education Committee include New Lawyers and Law Students.

The Education Committee will meet next on **May 12, 2022 at 9:00 A.M.**

If you would like to participate, please contact the committee chair, Lauren Fink at [lfink@maserlaw.com](mailto:lfink@maserlaw.com). Anyone is welcome to join the committee or simply attend a meeting.

#### GOVERNING COUNCIL:

The Elder Law Section Governing Council is chaired by Amber Hildebrandt and is currently meeting via Zoom.

Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) or Amber Hildebrandt at [ahildebrandt@bwmlawpllp.com](mailto:ahildebrandt@bwmlawpllp.com) to receive Zoom instructions to join the meeting.

#### LAW STUDENT COMMITTEE:

The Law Student Committee helps attract students to become the next generation of elder law attorneys. The committee meets as needed during the school year. Our goal for this bar year is to host a panel event at each local law school where students can ask questions about the practice of elder law. We are always looking for other ways to engage students, so please feel free to attend meetings and make suggestions.

If you have questions about the committee, contact Jack Austin at [jack@hawkelawgroup.com](mailto:jack@hawkelawgroup.com).

#### LEGISLATIVE COMMITTEE

The Elder Law Section's Legislative Committee monitors proposed legislation at the state and federal level affecting the Section's membership; reviews legislative proposals put forward by other Sections and Committees of the MSBA; reviews proposals from other groups, agencies and individuals; keeps Section membership informed of proposed legislation; provides comment and other responses to legislative proposals; makes recommendations concerning support of, or opposition to, legislative proposals; develops relationships with other organizations affected by legislation of interest to the Section; acts as a coordinator for the Section's legislative activities; develops legislative proposals for inclusion in the MSBA legislative agenda; provides witnesses and testimony in support of, or opposition to, legislative proposals; and in general supports the MSBA and the Section's legislative agendas. Members interested in joining the committee or learning more about the legislative issues being reviewed by the committee may contact the

Legislative Committee Chair, Suzy Scheller, at (763) 647-0042) or [suzy@schellerlegalsolutions.com](mailto:suzy@schellerlegalsolutions.com); or Vice-Chair, Julian J. Zweber, at (651-646-4354) or [julianzweber@qwestoffice.net](mailto:julianzweber@qwestoffice.net).

Several Elder Law Section only proposals are in effect for the current legislative session. The Elder Law Section is currently supporting proposals to pass new legislation regarding medical assistance treatment of life estates and irrevocable trusts as well as opposing proposed language related to resident trusts. Please contact Suzy Scheller at [suzy@schellerlegalsolutions.com](mailto:suzy@schellerlegalsolutions.com) with questions or requests for further information.

Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to be added to the Elder Law Section Community Forum.

#### MEDICAL ASSISTANCE COMMITTEE:

The Medical Assistance Committee is a study group to analyze the members' questions and case studies and to discuss administrative policies and procedures in relation to Medical Assistance in Minnesota. For directions, or to attend by phone, please contact Callyn Bedker at 507-587-8766 at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to Callyn at [callyn@bedkerlaw.com](mailto:callyn@bedkerlaw.com) under the subject heading "MA Committee Topic".

**Please note, due to COVID-19, all meetings will be held remotely by telephone at this time.**

To attend by telephone, call 1-888-354-0094 at the designated meeting time. When prompted, enter Conference Identification Number [or Participant Code] 8157976029# to be connected to the conference.

MA Committee members are invited to join the Medical Assistance Community forum at [my.mnbar.org](http://my.mnbar.org). Please contact Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org) to be added to the community.

#### PRO BONO COMMITTEE:

Please contact Emily Weichsel at 612-524-7356 or [emilyweivhsel@gmail.com](mailto:emilyweivhsel@gmail.com) if you are interested in participating in this committee.

#### STRATEGIC PLANNING COMMITTEE:

The Strategic Planning Committee meets at the call of the Section Chair. Questions may be directed to Amber Hildebrandt at 218-759-1673 or [ahildebrandt@bwmlawpllp.com](mailto:ahildebrandt@bwmlawpllp.com).

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The MSBA Elder Law Section's [Website](#) contains information about section committees and leadership. It also contains useful practice resources.

You may email Lucas Spaeth at [lucas.spaeth@voamn.org](mailto:lucas.spaeth@voamn.org) to suggest changes to website content.

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Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Maggie Cook at [mcook@vgllaw.com](mailto:mcook@vgllaw.com). The E-Newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the E-Newsletter will be distributed on the following Monday.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Tram Nguyen at [tnguyen@mnbars.org](mailto:tnguyen@mnbars.org).

Current and prior E-Newsletters are posted on the website for the MSBA Elder Law Section and are available [HERE](#).