

MSBA ELDER LAW SECTION E-NEWSLETTER
January 8, 2018

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E-Newsletter Editorial Staff:

Communications Committee Chair: Rachel Schromen

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NEWSLETTER HIGHLIGHTS

UPCOMING SECTION SURVEY:

Elder law section members will soon be invited to participate in a survey regarding the section. Your participation is critical in the development of our section! Four \$50 gift cards will be given out randomly to participants. Keep an eye out for the survey!

CALL FOR PHOTOS:

Please submit photos of section activities to emily.flesch@mitchellhamline.edu to be included in the e-newsletter.

MOCK TRIAL JUDGES NEEDED:

Judges are needed for the MSBA High School Mock Trial Program in January and February in Hennepin and Ramsey counties. The dates and times are listed [here](#). For more information on the program, visit the [website](#). If interested, please contact Kim Basting at kbasting@mnbar.org.

EVENTS SCHEDULED IN THE NEXT MONTH

January 10, 2018 at 8:30 a.m. – Communications Committee (Schromen Law, St. Paul).

January 19, 2018 at 12 p.m. – Pro Bono Committee (Teleconference).

January 24, 2018 at 3:30 p.m. – Advocacy Support Committee (Long, Reher, Hanson & Price, Minneapolis).

ELDER LAW NEWS

[Trump Administration Eases Nursing Home Fines in Victory for Industry](#)

[New Acting Minnesota Health Chief Pledges Tough Action on Elder Abuse Investigations](#)

[Minnesota Program Aims to Help End-of-Life Dementia Patients](#)

Please submit news articles of interest to emily.flesch@mitchellhamline.edu.

QUESTIONS AND ANSWERS FROM THE MSBA COMMUNITIES

Q. When do medical assistance numbers change?

A. Numbers used to determine eligibility for medical assistance benefits and to determine allocation of income and assets between medical assistance recipients and community spouses change at different times during the year based on federal cost of living adjustments (COLA). Some numbers change January 1, some July 1, and utility allowances on October 1, in years when a COLA applies. In some years when inflation has been low, there has been no COLA. Changes in numbers usually become available a month or two prior to a change date.

Here are new numbers effective January 1, 2018, for applications submitted on or after that date:

Statewide Average Payment for Skilled Nursing Facilities (SAPSNF): \$7,106

Community Spouse Asset Allowance (CSAA): \$123,600

Personal Needs Allowance (PSA): \$99

Community Spouse Minimum Maintenance Needs Allowance: \$2,031 (updated last July 1).

Community Spouse Maximum Maintenance Needs Allowance: \$3,090

SIS-EW Income Limit: \$2,250

Homestead Equity Limit: \$572,000

Remedial Care Allowance \$188 (applies in assisted living facilities, updates January 1 and July 1).

A more complete list of numbers that change periodically can be found in the MN DHS Health Care Programs Eligibility Policy Manual (EPM), Appendix F, which can be found by searching for "MN DHS EPM," and scrolling to Appendix F in the Table of Contents. Income and asset limits for the various health care programs can be found by searching for "MN DHS Income and Asset Guidelines."

Submitted by Julian J. Zweber

DIVERSITY COMMITTEE

On August 16, 2016, the Elder Law Council established our section's Diversity Committee, with Jeanine Hill as its original chairperson. Jean Gustafson of Brainerd will be chairing the committee for the coming year. If you would like to join the committee, please contact Jean Gustafson at jean@guslaw.net.

ELDER LAW CASES

Please submit Elder Law cases of interest to emily.flesch@mitchellhamline.edu

STATUTES, REGULATIONS, BULLETINS

Please submit statutes, regulations, or bulletins of interest to emily.flesch@mitchellhamline.edu

ELDER LAW SECTION ACTIVITIES

ADVOCACY SUPPORT COMMITTEE:

The Advocacy Support Committee will meet on **January 24, 2018 at 3:30 p.m.** at the offices of Long, Reher, Hanson & Price. Phone participation is available. Please contact Committee Chair, Laura Zdychnec at lzdychnec@mnelderlaw.com with any questions, or for the call-in instructions.

COMMUNICATIONS COMMITTEE:

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

January 10, 2018 at 8:30 a.m.

March 14, 2018 at 8:30 a.m.

May 9, 2018 at 8:30 a.m.

July 11, 2018 at 8:30 a.m.

September 12, 2018 at 8:30 a.m.

November 14, 2018 at 8:30 a.m.

The meeting location is Schromen Law, 600 Marshall Avenue, Saint Paul, MN 55102.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Rachel Schromen at rachel@schromenlaw.com or 651-571-2515.

EDUCATION COMMITTEE:

February 7, 2018 at 9:30 am.

Meetings are held via conference call. Please contact Genevieve Gaboriault at gegaboriault@mylegalaid.org to participate.

GOVERNING COUNCIL:

The Elder Law Section Governing Council will meet at the following dates and times during the MSBA year ending in June 2018:

February 16, 2018 at 3:30 p.m.

April 20, 2018 at 3:30 p.m.

June 15, 2018 at 3:30 p.m.

Meetings will be held at the Monroe Village Community Room. Monroe Village is located at 1900 Central Avenue NE, Minneapolis, Minnesota 55418. Parking is available behind the building and along adjacent streets. In-person attendees should enter through the door facing the parking lot behind the building. This door leads directly into the community room. For further information, please contact Tram Nguyen, section services manager, at tnguyen@mnbar.org or 612-278-6316.

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 john.j.austin3@gmail.com

MA COMMITTEE:

The 2017-2018 Medical Assistance (MA) Committee meetings will be at 3:30 p.m. on the third Tuesday of even-numbered months.

Upcoming meeting dates:

February 20, 2018 at 3:30 p.m.

April 17, 2018 at 3:30 p.m.

June 26, 2018 at 3:30 p.m.

August 21, 2018 at 3:30 p.m.

October 16, 2018 at 3:30 p.m.

December 18, 2018 at 3:30 p.m.

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 Traci Sherman with Pluto Legal, PLLC, at tsherman@plutolegal.com or [507-247-5900](tel:507-247-5900) at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to tsherman@plutolegal.com under the subject heading "MA Committee Topic," or faxed to [507-247-5868](tel:507-247-5868).

The Committee is hosted by Estate & Elder Law Service at Monroe Village, 1900 Central Avenue NE, Minneapolis, MN 55418. Parking is available behind the building and along adjacent streets. In-person attendees should enter through the door facing the parking lot behind the building. This door leads directly into the community room.

NEW LAWYERS COMMITTEE:

Meetings will be held the second Thursday of even-numbered months at noon. Each meeting has a different topic based upon input from the new lawyers committee. Minutes of past meetings are available. The meetings are formatted so that a seasoned elder law attorney will speak for the first half hour, and the second half hour will be questions and answers.

Upcoming meeting dates will be announced.

Meetings will be held at Chestnut Cambronne PA, 17 Washington Ave N #300, Minneapolis, MN, 55401. Please contact Pook Grathwol at pgrathwol@chestnutcambronne.com or (612) 336-2919.

PRO BONO COMMITTEE:

Meetings will be held via teleconference on the third Friday of every other month from 12-1 pm unless otherwise communicated. Upcoming meeting dates:

January 19, 2018 at 12 p.m.

March 16, 2018 at 12 p.m.

May 18, 2018 at 12 p.m.

Questions may be directed to Maya Missaghi at mayamissaghi@gmail.com.

STRATEGIC PLANNING COMMITTEE:

The next Strategic Planning Committee meeting date is to be announced. Meetings are held at the law office of Maser, Amundson, Boggio & Hendricks, P.A., located at 6601 Lyndale Avenue South, Suite 320, Richfield, MN 55423. Questions may be directed to Brenna Galvin at bgalvin@maserlaw.com.

VULNERABLE ADULT COMMITTEE:

Contact Marit Peterson at marit.peterson@elderjusticemn.org or 651-440-9303, if you are interested in participating in this committee.

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

You may email Bridget-Michaele Reischl at bridget@decorolaw.com to suggest changes to website content.

Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Emily Flesch at emily.flesch@mitchellhamline.edu. The e-newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the 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@statebar.gen.mn.us

Current and prior E-Newsletters are posted on the website for the MSBA Elder Law Section and are available here.

