


Medicaid Planning within a Guardianship

Ellen S. Morris, Esq.

Broward County Guardianship Association
Guardianship Education – Associates Day – May 18, 2011

ELDER LAW ASSOCIATES PA



Medicaid Planning within a Guardianship


BCGA Education Day
May 18, 2011

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Boca Raton – Aventura
Weston – West Palm Beach

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Asset/ Income Considerations of Ward

- Income Limit
 - Qualified Income Trust?
- Asset Limit
 - Planning Preservation Options



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Residence Location

- Home
- Independent Living Facility
- Assisted Living Facility
- Skilled Nursing Facility



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"When I asked if she was critical I didn't mean verbally!"

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Court Approval Required

- Creation of Irrevocable Trust
- Funding of a Pooled Trust
- Spenddown Combination
- Attorney's Fees for Medicaid Planning and Application




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Accountings/ Auditor Clerk

Wording of Order



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Court Approval for Medicaid Application

744.441 (17) (19) (21)




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VA Benefit Consideration

- Income and asset limits
- Unreimbursed medical expenses
- Served during wartime
- Require the aide and attendance of someone for care



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Schwab
"GRANDPA'S AT THAT WONDERFUL AGE WHEN HE CAN'T REMEMBER IF HE ALREADY GAVE ME MY ALLOWANCE."

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Questions?



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"I've been playing *Crazy Eights* for the past half hour! What have you been playing?"


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Thank you!

Ellen S. Morris, Esq.

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