

The Hartford County Bar Association's Elder Law Committee presents:

Elder Law: Year in Review

Thursday, October 24, 2013

03:15 p.m. Registration

03:30 to 05:30 p.m. Program

HCBA Conference Center, 2nd floor,
100 Pearl Street, Hartford.



Panelists and topics:

Brendan F. Daly, Esq., CzepigaDaly LLC

Attorney Daly will discuss the legal arguments he presented to the US Court of Appeals for the Second Circuit as Plaintiff's counsel in *Lopes v Starkowski*. The Lopes decision now gives community spouses the opportunity to use excess assets to purchase an annuity. The annuity creates an income stream while the institutionalized spouse maintains Medicaid eligibility. He will discuss how annuities should be calculated, purchased and structured in compliance with the Court's opinion.

Claudia W. Englisby, Esq., Law Offices of Sharon L. Pope

Attorney Englisby will present tools that Elder Law attorney's need to know in order to avoid new transferee liability rules. It is these laws that allow nursing homes to place responsibility upon persons who willfully don't pay the requisite applied income. She will also discuss the recent Supreme Court decision in *United States vs Windsor* and how the decision affects DOMA. Particularly, in Connecticut transfers of property between spouses in Medicaid spend-downs are treated differently for same sex spouses as opposed to heterosexual marriages. She will present some tips on asset structuring when one spouse seeks entitlements to help off-set the costs of long term care.

Sharon L. Pope, Esq., Law Offices of Sharon L. Pope

Attorney Pope will review two class action suits filed by the Center for Medicare Advocacy. The settled case involved a Plaintiff's challenging the Medicare policy of terminating coverage for a home health patient on the ground that his or her condition had not been improving. This "improvement" standard was invalidated by the Court. The pending case alleges that Medicare wrongfully denies beneficiaries coverage for acute, post-acute and prescription drug expenses because hospitals don't admit them as inpatients for at least three days. Instead, care is classified under an "observation" category even though hospital stays may last longer than 7 days and services were incorrectly billed under Part B when Medicare should have paid these claims under Part A. Additionally, Attorney Pope, as an accredited Veteran's Affairs Claims Attorney, she will discuss changes in the Veteran's benefits affecting Veteran's access to public benefits and Medicaid transfer penalties. The last topic will be the benefits of the Affordable Care Act on senior benefits such as more preventative care and the phase out of the 'donut hole' in Medicare benefits.

Thank you to our sponsor

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Registration Form

___ Yes I/we would like to attend the "Elder Law: Year in Review" program on October 24, 2013

___ \$25 HCBA Member (with 2013-14 dues paid) ___ Free admission Law Student/2013 New Admittee
___ \$35 Non-Member

Refreshments will be provided. Parking is available in the building*. There are also many on street parking spaces. If you need assistance, please feel free to contact us at: (860) 525-8106

*For the first two hours: \$1.75 per half hour. After two hours: \$2.50 each additional half hour. All day maximum: \$21.50 (6:00 a.m. - 6:00 p.m.)

Name/s: _____

Firm: _____

Tel: _____ Email: _____

Please mail registration form with your payment to:
Hartford County Bar Association, 100 Pearl Street, 4th floor, Hartford, CT 06103.

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