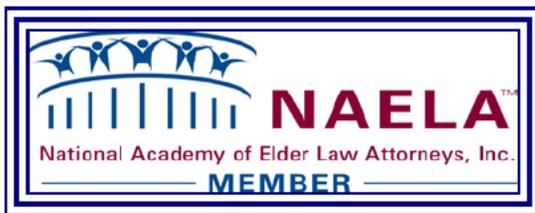
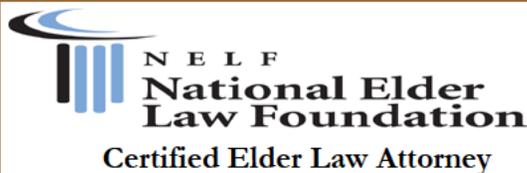


Gregory G. Glenn, Esq

- Certified Elder Law Attorney by the National Elder Law Foundation.
- Member of the National Academy of Elder Law Attorneys.
- Member of the Academy of Florida Elder Law Attorneys.
- Elder Law Section of the Florida Bar.
- Juris Doctorate - Michigan State University College of Law.
- Attended University of Miami School of Law.
- Bachelors of Business Administration with a Major in Management - Eastern Michigan University.
- Staff accountant and business consultant with Dunn & Roth CPA's and Coopers & Lybrand, CPA's.
- Authored continuing education materials for elder law attorneys and lectured to Florida attorneys on Medicaid Planning and public benefits planning.

Elder Law Attorney
for over 25 years



Legal Services

- Medicaid Nursing Home Benefits Planning
- Estate Planning (Wills & Trusts)
- Special Needs Trust Planning for the Disabled
- Durable Powers of Attorney
- Healthcare Surrogate Designations & Living Wills
- Probate

For more information go to the
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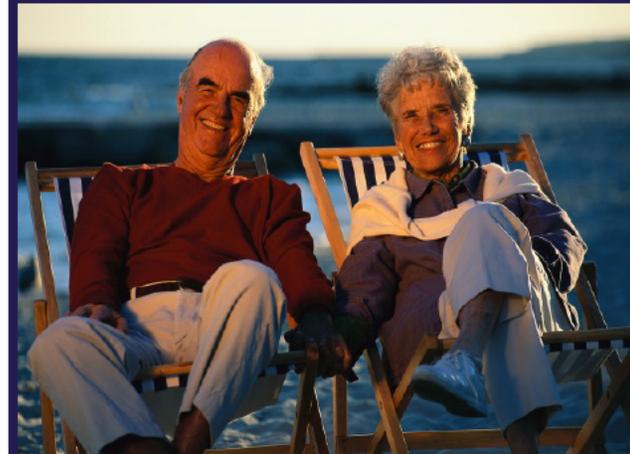
This brochure is for informational purposes only and is not intended to be legal advice. Consult with an attorney whose practice focuses on Medicaid Planning and Estate Planning for assistance and further details on the laws. Hiring of an attorney is an important decision that should not be based on advertising alone. For more information about Mr. Glenn see the firm's website or contact us.
(Gregory Glenn © 2021)



*Medicaid Planning
for Nursing Home
Benefits*

And

*Estate Planning
for Seniors*



561-347-1071

Estate Planning for Seniors

Mr. Glenn's approach to estate planning is to help a client develop a plan to maintain their independence throughout the client's life. The client's financial circumstances, overall objectives, and family circumstances are all taken into consideration when consulting with Mr. Glenn. The estate planning documents are then drafted to meet the client's needs.

Wills and Revocable Trusts

The firm offers drafting of last will and testaments and revocable living trusts as part of its estate planning services.

Durable Power of Attorney for Seniors

Florida amended its durable power of attorney law in 2011 now requiring a person to specify the authority his/her agent will have regarding powers related to estate planning. Mr. Glenn also incorporates powers specifically related to Seniors when necessary to meet the client's needs.

Advanced Directives

Mr. Glenn provides healthcare surrogate designations and living wills with most client's estate planning packages. In these documents the client names an agent to speak to medical providers on his/her behalf if he/she is unable to make informed medical decisions.

INFORMATION VIDEOS ON THE FIRM'S WEBSITE

- ❖ Medicaid Planning
- ❖ Powers of Attorney
- ❖ Estate Planning
- ❖ Hiring a Lawyer

www.Bocaelderlaw.com

Florida Medicaid for Long-Term Care

Florida Long-Term Care Programs

- Nursing Home Benefits
- Hospice
- Home & Community Based Waiver Programs

Florida Medicaid Law

There are State and Federal Medicaid laws that apply when doing Medicaid Planning. Following is a brief summary of general eligibility criteria. It is not a complete list. It is important to have guidance from a lawyer who understands the details of those laws when engaging in Medicaid Planning.

General Eligibility

A person must meet certain age requirements depending upon the program, or be considered "disabled" as defined by the State of Florida Medicaid disability criteria. A person must also be a Florida "resident", and a "citizen" of the United States, or a "permanent resident alien".

Medical "Needs" Requirements

A person must have a "medical need" to qualify for Medicaid as defined by the Florida Department of Elder Affairs Comprehensive Assessment and Review for Long-Term Care Services (CARES) unit. Criteria are based on the applicant's level of assistance needed with the "Activities of Daily Living" (*dressing, feeding oneself, transferring, bathing, continence, toileting, cognitive abilities*).

Medicaid "Countable Assets"

- The Medicaid applicant must have less than \$2,000 of Medicaid "countable assets."
- A married applicant's spouse can retain up to \$130,380.00 (2021 figure) of Medicaid "countable assets".
- If both spouses are applying for Medicaid nursing home or assisted living facility benefits as "a couple", Medicaid "countable assets" cannot exceed \$3,000.00 combined.

Medicaid Exempt Assets

- The applicant's primary residence will be exempt provided that the equity does not exceed \$603,000 (2021 figure). However, there is no restriction on the equity of the primary residence provided that it is occupied by a spouse, child under 21, or a blind or disabled child regardless of age.
- Certain property used in a trade or business.
- Certain income-producing property.
- One vehicle – regardless of age or value. In addition, vehicles that are over 7 years of age that are not considered by Medicaid as "luxury, antique or collectible".
- All whole life insurance policies so long as cash surrender value of all policies combined is \$2,500 or less.
- Burial plots for immediate family.
- Irrevocable funeral plans.
- Burial set-aside account up to \$2,500.00.

Asset Transfers and Penalties

- Transfers of assets (*i.e., gifts*) for less than fair market value create periods of ineligibility.
- Transfers for less than fair value are subject to a 5 year look-back (60 months).
- The penalty period starts from the date of the application, and so long as the applicant is otherwise eligible for the Medicaid benefits but for the disqualifying transfers.
- The penalty calculation is complex and based upon a transfer of asset divisor rate equal to the average monthly cost of nursing home care in Florida as determined by the State of Florida Agency for Healthcare Administration.

Income Limitations

- Medicaid has an "income cap" for applicants for the long-term care Medicaid programs.
- Exceeding the "income cap" limit does not necessarily eliminate Medicaid eligibility. In Florida a "Qualified Income Trust" can be used to maintain eligibility. Mr. Glenn prepares the trust and assists the client in understanding proper funding and administration of the trust in order to maintain eligibility.