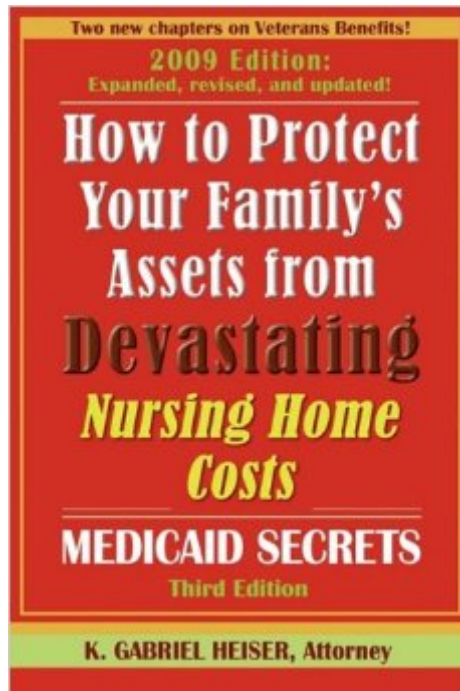


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# How To Protect Your Family's Assets From Devastating Nursing Home Costs: Medicaid Secrets (3rd Edition)



## Synopsis

Written by an elder law attorney with over 25 years of experience, this book will help anyone with a family member faced with a long-term stay in a nursing home who wishes to preserve at least some of their assets by qualifying for the Medicaid program. You don't have to be broke to qualify! For the first time ever, the inside secrets of high-priced estate planning and elder law attorneys are revealed. Includes a summary of all income and asset rules for both married and single individuals, together with numerous examples and several case studies, which take the reader through the same thought processes that an experienced elder law attorney would go through when analyzing a real-life client's situation. The book includes tips on: how to title your home so you do not lose it to the state; how to make transfers to family members that won't disqualify you from Medicaid; how annuities make assets "disappear"; smart tricks for "spending down" your assets; what to change in your will to save thousands of dollars if your spouse ever needs nursing home care; avoiding the state's reimbursement claim following the nursing home resident's death; and much more. The 2009 Edition has been expanded, revised, and completely updated to incorporate all changes in the law as of January 1, 2009, and includes two new chapters on Veterans' benefits.

## Book Information

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## Customer Reviews

Book ReviewHow to Protect Your Family's Assets from Devastating Nursing Home Costs: Medicaid SecretsBy Gabriel Heiser, Esq.Medicaid is a vast federal bureaucratic healthcare system that operates on the federal, state and local levels. The federal government delegates considerable rule

making authority and discretion to the individual states, which, in turn, delegate to individual counties their own regulation-making power. Added to this percolating brew is the reality that individual nursing homes make their own rules and policies for dealing with Medicaid recipients. Thus, legal practitioners, government officials and inquiring citizens are confronted with a regulation-intensive field of law and public health so labyrinthine that even Daedalus and Icarus would have to put attorneys on retainer to help them navigate through it. Gabriel Heiser is an attorney in Boulder, Colorado, specializing in Medicaid qualification matters as a sub-set of his practice in elder law. He has written *How to Protect Your Family's Assets from Devastating Nursing Home Costs: Medicaid Secrets*, a straight-forward concise volume that clarifies and simplifies the processes of analyzing Medicaid qualification and payment issues and crafting strategies for dealing with them in a cost-effective way in real-life situations. The book has a Table of Contents that is logically organized and indicates that the major components of the topic are thoroughly addressed. The Index illustrates the excellent organization of the book and makes it easy to reference back to specific concepts within the text. One aspect that I liked particularly was Heiser's detailed references in the text to material previously covered. Instead of writing something generic such as, 'as stated earlier' or 'as I previously covered,' Heiser gives specific page numbers and topic headings. The book is, thus, highly user friendly for the lay person as well as for the knowledgeable practitioner. The book also provides Medicaid contacts for each state; a list of resources and citations to relevant federal statutes. I found both refreshing and admirable Heiser's direct forthright addressing of the ethical dimension of a lawyer giving advice intended to reduce the financial burden imposed on an individual or on a family when qualifying for and receiving Medicaid benefits. Anticipating critics, Heiser gives examples where profligacy and irresponsible behavior have been financially rewarded and where thrift and self-sacrifice have been punished. He ends the topic with a trenchant quote from Justice Learned Hand: "Anyone may so arrange his affairs that his taxes shall be as low as possible; he is not bound to choose that pattern which will best pay the Treasury." Heiser's book builds on the overall topic incrementally from basic concepts--what is Medicaid?--to rather sophisticated arcane aspects of Medicaid law. Heiser displays the enviable skill of breaking down into understandable segments esoteric concepts that do not trip easily off the tongue such as the Community Spouse Resource Allowance, irrevocable trusts, minimum monthly maintenance needs allowances and penalty dates. Upon completing the book, the reader will not be sufficiently trained to walk into federal court and litigate a case, of course, but the reader will have a comprehensive grasp of the issues to guide future financial decisions and to ask more probing questions of legal counsel. As a disclaimer, Heiser emphasizes that obtaining the advice of an

experienced elder law attorney in the client's home state is essential to successful Medicaid planning. I end this review with two judgments. First, the book is not about Medicaid 'secrets.' Rather, it is about the analysis and deductions made and implications offered by a skilled lawyer trying to make accessible the rules and laws imposed on a massive bureaucracy. If in this day and age the effort to describe the law to average citizens constitutes secrets, then there is much to lament. Second, the book does not show how to protect all assets from nursing home costs. It shows how to protect some assets and how to distribute some of those assets to family and recipients other than to the layers of government. The book is easy to read. It is free of mind-numbing jargon and arrogant intellectual self-indulgence. It is meant to be a foundational primer to help people keep some of their assets should life's tempests require access to Medicaid nursing home benefits. It successfully achieves that goal. Book reviewed by Michael G. Sabbeth, Esq. Denver, Colorado

As a Certified Financial Planner professional, I deal with issues such as these with my older clients from time to time. But I don't give legal advice. I am not a legal expert. Mr. Heiser clearly is. I found this book to be a "must read." In fact, I read it twice to learn anything that I might have missed the first time. I now keep the book at my desk, as it has important state agency contacts, IRS tables, case studies, and reference information. Mr. Heiser reveals the maze of complicated features and structures of the Medicaid system, and then presents, in a straightforward and organized fashion, the many important questions to ask before undertaking any action. After reading this book, you will be armed with knowledge of the various strategies and options that could that could greatly benefit (or inadvertantly harm) your loved ones' finances and Medicaid eligibility. This kind of knowledge is extremely powerful. The Medicaid system is fragmented and subject to ever-changing rules and local regulations. What works for one person in one state may not benefit another person elsewhere. Mr. Heiser has done readers a great favor in carefully explaining all of the potential issues.

How to Protect Your Family's Assets from Devastating Nursing Home Costs by Gabriel Heiser is a terrific book. It clarified for me the issues surrounding Medicaid and asset preservation in a straight forward and easy to understand way. It provided me insights into complexities that are necessary for anyone who might be venturing down this path to be aware of and understand. It put into perspective the options that are available and perhaps most important of all, provided me with the background I needed to have a productive meeting with an elder attorney and to ask them the

appropriate questions. In particular, the book was written in a way that could be understood by a layman. It was presented in a very organized fashion and clearly went through the Medicaid process, a necessary pre-requisite for the subsequent chapters. The appendix was particularly useful in that it provided ways to find a qualified elder lawyer and other related resources as well as information on state Medicaid offices. But perhaps most interesting and helpful of all were the case studies. They provided a multitude of practical strategies, comparing and contrasting them throughout the book. After reading this book, the bits and pieces of information I was able to discern from other books and from several lawyers I previously met with came together to form a clear picture like pieces of a puzzle. Armed with information and the possibilities presented and with an understanding of the implications of our decisions, we are now ready to move forward with plans for our parents with the confidence that we are prepared now to go down this very difficult road. Thanks Mr. Heiser for all of your help!

I'm an attorney who never learned about Medicaid in law school. When my mother became elderly, I consulted an attorney who specialized in elder law, but I couldn't fully understand the explanation given about Medicaid, estate planning and nursing home care. Now, having read attorney Heiser's book, I realize that it wasn't me! This is a complex subject, which Mr. Heiser has finally explained in a logical, comprehensive, and easy-to-understand way. This refreshingly informative book puts all the parts of the Medicaid puzzle together in one resource that focuses on obtaining quality long-term care while preserving one's personal assets. Using a practical approach, Mr. Heiser explains the "ins and outs" of Medicaid qualification as a teacher would, offering helpful examples and case studies. I have recommended this book both to my attorney and non-attorney friends who have parents or loved ones, or who are themselves facing nursing home stays.

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