

MSBA ELDER LAW SECTION eNEWSLETTER

March 11, 2008

eNewsletter Editorial Staff:

Chair: Jonathan Dyrud, Esq.

Editor in Chief: Vicki McIntyre, Esq.

Contributors: Laurie Hanson, Esq., Irena Purves, Esq., Peter Hendricks, Esq., Amanda Christman, Esq., Kim Dayton, Esq., Julian Zweber, Esq.

ANNOUNCING NEW CENTER FOR ELDER JUSTICE AND POLICY

William Mitchell College of Law has launched a new Center for Elder Justice & Policy. The Center provides resources, technology, and information to families, policymakers, and caregivers, to assist in addressing issues faced by the nation's aging population. The Center is unique in its collaborative approach, serving as a conduit to move knowledge from an academic setting into the hands of policymakers and advocacy groups who will shape elder law policy in the decades ahead.

The center, headed by Professor A. Kimberly Dayton, supports William Mitchell's rich elder law curriculum. Ongoing projects with organizations such as the Minnesota Kinship Caregivers Association, The Elder Care Rights Alliance, the Alzheimer's Association of Minnesota-North Dakota, and the National Center for Lesbian Rights, have generated research and materials for consumers on a wide variety of issues affecting seniors, their families, and their caregivers. More information on the Center is available from Professor Dayton at kim.dayton@wmitchell.edu or the William Mitchell Web site at <http://www.wmitchell.edu/CEJP/elderjustice/>.

APRIL WEBCASTS ANNOUNCED

Minnesota Continuing Legal Education is presenting two Webcasts in April as a follow-up to the 2007 Elder Law Institute. Both topics were presented at the Institute and will be available in augmented versions through the Webcasts, live via the Internet.

PROVIDING FOR PETS AT DEATH OR DURING INCAPACITY

Wednesday, April 9, 2008 - 12:00 noon to 1:00 pm

Presenter: Vicki McIntyre, Minneapolis Attorney

Application has been made for 1.0 CLE Credit

More information and online registration is available at <http://www.minncle.org/AABuy1.asp?ITEMTYPE=S&ITEMNMBR=126270801&ArticleID=>.

ANATOMY OF A NURSING HOME DISCHARGE

Thursday, April 10, 2008 - 12:00 noon to 1:00 pm

Presenters: Jennifer Wright of St. Thomas Legal Services Clinic (Elder Law Practice Group); Natasha Merz of the Office of Ombudsman for Long-term Care; and Sue Schaffer of Orbovich & Gartner

Application has been made for 1.0 CLE Credit

More information and online registration is available at <http://www.minncle.org/AABuy1.asp?ITEMTYPE=S&ITEMNMBR=120070801&ArticleID=>.

ELDER LAW NEWS

The number of influenza cases sharply increased by the end of February. Fifteen long-term care facilities have reported outbreaks.

<http://www.duluthbudgeteer.com/articles/index.cfm?id=21760>

Mental health parity bill won passage in the House. Now it is Kennedy vs. Kennedy.

http://blogs.wsj.com/health/2008/03/06/on-mental-health-parity-its-kennedy-vs-kennedy/?mod=googlenews_wsj

A Minnesota Job Skills Partnership grant will support a three-year training collaboration between Falls Memorial Hospital , Good Samaritan Society-International Falls , Littlefork Medical Center , Itasca Community College , and Rainy River Community College . The collaboration will provide Itasca Community College its first opportunity to apply the training to long-term care facilities.

<http://www.hutchinsonleader.com/jobs-grant-will-train-315-health-care-workers-6979>

Governor Pawlenty calls for sacrifice in his deficit-fixing budget. His plan on health care proposes to delay a planned two percent pay raise for workers in all long-term care facilities, except nursing homes, for one year.

http://www.twincities.com/ci_8497743

UPCOMING EVENTS AND CLE PROGRAMS

National Healthcare Decisions Day Webinar

Wednesday, March 19, 2008 - 1:00 pm to 2:00 pm

William Mitchell College of Law, Kelley Board Room , St. Paul

RSVP to Kim Dayton at kim.dayton@wmitchell.edu or Jennifer Wright at jwright1@stthomas.edu

More information and site registration is available at www.nationalhealthcaredecisionsday.org/webinar.

A Meeting of the Minds: The Dementia Conference 2008

Co-sponsored by the Minnesota-North Dakota Alzheimer's Association and the Mayo Clinic

Saturday, March 29, 2008
RiverCentre Convention Center , St. Paul , Minnesota

Information and online registration is available at <http://www.alzmdak.org/gethelpandinfo/annualconference/>

National Health Care Decisions Day Event

Sponsored by the Elder Law Estate Planning Society and the Center for Elder Justice and Policy, William Mitchell College of Law

Wednesday, April 16, 2008 - 10:00 am to 6:00 p.m.

William Mitchell College of Law, 875 Summit Avenue , St. Paul

Open to the public. Volunteers may contact Janelle Januschka at Janelle.januschka@wmitchell.edu or Jennifer Wright at jlwright1@stthomas.edu.

Probate Practice: The Fundamentals

Sponsored by Minnesota State Bar Association Continuing Legal Education

Friday, May 2, 2008

St. Cloud Civic Center, 10 Fourth Avenue South , Stockinger Suite, St. Cloud

Application has been made for 5.5 CLE Credits

More information and online registration is available at www.minncle.org

Age and Disabilities Odyssey

Co-presented by Minnesota DHS's Continuing Care Division and the Minnesota Board on Aging

August 18 - 20, 2008, Duluth , Minnesota

The 2008 Age & Disabilities Odyssey is a comprehensive education and networking event for those working in the fields of aging and disabilities throughout Minnesota .

More information is available at:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=dhs16_140408

Elder Law Institute 2008

Co-presented by the Elder Law Section of the MSBA and Minnesota CLE

Thursday and Friday, October 2-3, 2008

Minnesota CLE Conference Center , 3rd floor City Center , Minneapolis

MARK YOUR CALENDARS and watch this site for more information.

ELDER LAW SECTION ACTIVITIES

LEGISLATIVE UPDATE: For the latest news on what is happening at the Capitol, including an update on bills of interest to the Elder Law Section, please see the March 5, 2008, edition of the Legislative Ledger now available on the MSBA website at:

<http://www2.mnbar.org/committees/legislative/LegislativeReport.pdf>

PRO BONO COMMITTEE MEETING. The Pro Bono Committee will meet at on Wednesday, March 19, 2008, at William Mitchell College of Law. The meeting will begin at approximately 2:00 p.m., directly following the National HealthCare Decisions Day 2008 Webinar. If you would like to attend, please contact Jennifer Wright at jlwright1@stthomas.edu.

ELDER LAW SECTION GOVERNING COUNCIL MEETING. The next Governing Council meeting is scheduled at 3:30 p.m. on Friday, April 11, 2008, at the MAO offices, 2021 E. Hennepin, Suite 200 , Minneapolis . All members are welcome to attend. To participate by phone, please contact Laurie Hanson in advance at lhanson@mnelderlaw.com.

NOMINATIONS FOR ELDER LAW SECTION GOVERNING COUNCIL. Nominations are sought from Elder Law Section members interested in serving on the Section's Governing Council for a two-year term beginning July 1, 2008. The Governing Council meets at 3:30 p.m. on the second Friday of every other month at MAO Legal Services in Minneapolis . Outstate members may attend by phone. Nominations may be made to Nominating Committee Chair Lori Guzman at lori@guzmanlaw.com.

MEDICAL ASSISTANCE COMMITTEE MEETING. The next Medical Assistance Committee meeting will be at 3:30 p.m. on Tuesday, April 15, 2008, at the MAO Offices, 2021 E. Hennepin, Room 420, Minneapolis . **NOTE ROOM CHANGE:** The meeting location has been changed, for this meeting only, to Room 420, rather than Suite 200 . For directions, or to attend by phone, please contact Tracie Fenske with Long, Reher & Hanson, P.A. at 952-929-0622.

MINNESOTA CASES

No cases to report this week.

STATUTES, REGULATIONS, BULLETINS

DHS BULLETIN #08-53-02: Update to Adult Mental Health Preadmission Screening and Resident Review (PASRR) and new forms for Level I and II Screenings.

All entities involved in the process for preadmission screening policies and procedures for nursing facility admissions of persons who have or may have a serious mental illness are required to become familiar with the information and changes in this bulletin, and to implement the preadmission guidelines consistent with the contents of this bulletin. The bulletin is available at:

http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_140532.pdf

DON'T FORGET THAT THE ELDER LAW WEBSITE IS A GREAT RESOURCE. Here's what you can find on the Website: Links under "What's New" to the DHS Health Care Programs Manual, the updated Income and Asset Eligibility Figures for Minnesota Health Care Programs, the DHS Bulletin on treatment of uncompensated transfers, the Minnesota Bankers Association Compliance Bulletin on Powers of Attorney, and a legislative summary; Practice Links to organizations such as NAELA, ABA Commission on Law and Aging, Minnesota Senior Federation; Links to Federal and State Government Agencies, Statutes, and Regulations; Meeting Notices, Listings of Officers and Council Members, Section Bylaws, and more.

To access the ELDER LAW SECTION WEBSITE

Click here: <http://www2.mnbar.org/sections/elder-law/index.asp>

Please send eNewsletter contributions by noon on Saturday of each week to

Vicki McIntyre at vmcintyre2@yahoo.com

If you do not wish to receive this eNewsletter, send your request to be removed from the mailing list to Meaghan Harper at mharper@mnbar.org