

MSBA ELDER LAW SECTION eNEWSLETTER
September 11, 2007

eNewsletter Editorial Staff:

Chair: Jonathan Dyrud, Esq.

Editor in Chief: Vicki McIntyre, Esq.

Contributing Editors: Laurie Hanson, Esq., Kim Dayton, Esq., Amanda Christman

Welcome to the inaugural edition of the Elder Law Section's eNewsletter. The eNewsletter will be sent to section members on a weekly basis (or whenever there is news to report.) The eNewsletter is divided into five sections: "Minnesota Cases," "Elder Law Section Activities," "Elder Law News," "Statutes, Regulations, Bulletins," and "Members in the News."

All section members may submit items of interest to Vicki McIntyre by noon on Saturday of each week at: vmcintyre2@yahoo.com. In addition to featuring elder law news, we are interested in hearing about member activities. If you are joining or starting a new firm, giving a presentation, publishing an article, receiving an award, etc., please let us know. We are also looking for a contributing editor for the "Members in the News" section of the eNewsletter. If you are interested, please contact Vicki McIntyre.

We hope you will find this eNewsletter interesting and useful. Please let us know if you have any suggestions or comments. *Don't reply to this email! It will go unanswered. Please send all comments to Vicki McIntyre!*

MINNESOTA CASES

Unpublished Decisions:

Swift v. Evangelical Lutheran Good Samaritan Society. By writ of certiorari, LouAnn Swift appeals an unemployment law judge's (ULJ) determination that she was discharged for employment misconduct and is therefore disqualified from receiving unemployment benefits. Because substantial evidence supports the ULJ's determination that Swift was discharged for a series of inappropriate actions that violated the standards of behavior that a long-term care facility can reasonably expect from a registered nurse who is providing care for vulnerable adults, we affirm.

<http://www.courts.state.mn.us/opinions/coa/current/opa061654-0904.htm>

ELDER LAW SECTION ACTIVITIES

Message from the Chair: I join Vicki in welcoming you to the inaugural edition of this eNewsletter. I want to thank all of you who responded to the survey sent to you in July. This eNewsletter is the result of that survey: you told us that the newsletter was an important Elder Law Section benefit -

but that it did not come often enough and that the news was sometimes old. So, we intend to bring you the news sooner and weekly (if there is news to report and our editor is not on vacation...)

The survey also indicated interest in section pro bono activities, CLE's, and more opportunities to meet with other section members. The Elder Law Section strategic planning committee will be meeting soon to analyze the survey results and come up with ways to meet the articulated needs of section members. These ideas will be discussed at the Elder Law Section Governing Council meeting in October (see below). We invite all of you to attend and get involved!

The advice and counselling we are providing to families with members who are living with disabilities is, in my mind, unique and imperative. Our clients rely on us to know government benefits and estate planning - but also to provide them with resources and understanding as they cope with the disability. It's a daunting task - and, through this eNewsletter, if we can exchange information to benefit our clients, each of us will be able to serve our clients better. Together we can make this newsletter work for all of us and our clients!

Enjoy the newsletter and *please* let Vicki know if you have any news to report.

Laurie Hanson
Long, Reher & Hanson, P.A.

The **17th Annual Elder Law Institute** will be presented on October 25th & 26th, 2007, at the Minnesota CLE Conference Center in Minneapolis. If you haven't already registered you may register online at <http://www.minncle.org/AABuy1.asp?ITEMTYPE=S&ITEMNMBR=105340801&ArticleID=> or by calling 651-227-8266 or 800-759-8840. Details about speakers and programs are available at www.MinnCLE.org.

Medical Assistance Committee Meeting - The next MA Committee meeting will be held on Tuesday, October 16, 2007, at 3:30 pm at MAO Legal Services, 2021 E. Hennepin Avenue, Suite 200, Minneapolis. Everyone is welcome to attend.

Elder Law Council - The next section Council meeting will be held during the Elder Law Institute, at 7:30 a.m. on Friday, October 26, 2007. All section members are encouraged to attend.

New Section Website - If you haven't checked out the section's updated Web site yet, you may do so at <http://www2.mnbar.org/sections/elder-law/index.asp>. You will find much useful information, including back issues of newsletters, the new eNewsletter, Council meeting minutes, bylaws, helpful links, and much more.

ELDER LAW NEWS

Rules violations will cost Minneapolis Veterans Home \$671,000

http://postbulletin.com/newsmanager/templates/localnews_story.asp?z=7&a=306771

Cost of elder caregiving disproportionately burdens women
<http://www.tcdailyplanet.net/article/2007/08/14/co-t-caring.html>

Related: Kloubuchar discusses federal caregiver support legislation

<http://www.sctimes.com/apps/pbcs.dll/article?AID=/20070820/OPINION/108200041/1006/NEWS01>

Op-ed: Aging Minnesotans could face a doctor shortage in Medicare

<http://www.startribune.com/561/story/1393091.html>

STATUTES, REGULATIONS, BULLETINS

Nothing to report this week.

MEMBERS IN THE NEWS

Nothing to report this week.

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

Vicki McIntyre at vmcintyre2@yahoo.com

ELDER LAW SECTION WEBSITE: <http://www2.mnbar.org/sections/elder-law/index.asp>

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