

MSBA ELDER LAW SECTION E-NEWSLETTER

April 14, 2009

E-Newsletter Editorial Staff:

Newsletter Committee Chair: Laurie Hanson, Esq.

Editor in Chief: Suzy Scheller, Esq.

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REMINDERS FOR THIS WEEK

- National Healthcare Decisions Day (NHDD) is Thursday, April 16, 2009. More information is available at <http://mnhealthcaredecisions.pbwiki.com/FrontPage> or by contacting Vicki McIntyre at vmcintyre2@yahoo.com.
- Elder Law Section Governing Council Meeting is Friday April 17, 2009, at 3:30 p.m. See announcement below for more information.

RESULTS OF E-NEWSLETTER SURVEY

More than 90% of Elder Law Section members read the Section's E-Newsletter, according to survey conducted last month.

The weekly E-Newsletter was launched in September 2007, and the Newsletter Committee designed the survey to ask if members find the publication helpful as well as to ask how the Section can serve you better. Seventy-one Section members completed the on-line questionnaire.

When asked to assess the value of the various sections of the E-Newsletter, members ranked the summary of Minnesota cases as number one, with 83% of respondents finding it helpful or very helpful. In a virtual tie for second place, approximately 75% of respondents found value in the "Elder Law News" section, which highlights media stories of interest, and "Statutes, Regulations, Bulletins." Listings of upcoming Elder Law Section events and CLE programs appear to be of relatively less value to members.

The survey also asked members for suggestions about how to change or improve the E-newsletter. Several constructive ideas came forward, including the order in which information is presented, and requests for additional writing about the substantive legal

issues members face – such as the wording of forms, the design of checklists, and practical approaches to unique or thorny cases.

Three survey questions sought feedback about other Elder Law Section activities. On the topic of continuing legal education, 95% of survey participants indicated that CLE programs are meeting their needs. A few members suggested that the Section consider offering shorter programs with focused topics. A second question asked if members would be interested in elder law roundtable discussions, and a majority said yes. Finally, the survey invited ideas for other information-sharing and programming, and a few members suggested the listing or coordination of pro bono opportunities.

Thank you to all who took time to complete the survey. The Newsletter Committee and Governing Council will review your feedback in detail over the coming weeks.

REPORTS RELEASED ON SELECTION OF LONG TERM CARE

The Minnesota Department of Human Services (DHS) released a report entitled "*Helping Older Adults Select and Purchase Long Term Care.*" In 2007, the Minnesota Legislature directed DHS to develop recommendation regarding "how the State of Minnesota can most effectively assist persons 65 and older in selecting long-term care services that meet their needs, reflect their preferences and enable them to maintain financial self-sufficiency as long as possible." The Department engaged Wilder Research to conduct the study, with specific focus on housing with services, assisted living, and in-home services. Links to the complete report, along with a literature review and related supplemental documents, are available on the DHS website at:

http://www.dhs.state.mn.us/main/idcplg?IdcService=GET_DYNAMIC_CONVERSION&RevisionSelectionMethod=LatestReleased&dDocName=dhs16_144477

ELDER LAW NEWS

The crisis in long-term care: A peek into the gray future in a Minnesota county
http://www.twincities.com/ci_12068566?nclink_check=1&forced=true

Senators Criticize Proposed Medicare-Payment Cuts
<http://online.wsj.com/article/SB123879060391387643.html>

HBO Debuts "The Alzheimer's Project: Caregivers" on Tuesday, May 12 (7:00 to 8:00 p.m ET).
<http://www.li-reviews.com/2009/04/07/the-alzheimers-project-caregivers-debuts-on-hbo-may-12-2009/>

From halls to home: Veterans groups meeting in nursing, retirement homes as members get older

<http://www.startribune.com/nation/42873077.html?elr=KArksUUUU>

Elderly man's caregiver to pay back \$44,000 in Eau Claire theft case

http://www.twincities.com/ci_12115287?IADID=Search-www.twincities.com-www.twincities.com

Woman, 78, banned for bad language sues center

http://www.twincities.com/ci_12114607?IADID=Search-www.twincities.com-www.twincities.com

UPCOMING EVENTS AND CLE PROGRAMS

Medical Assistance and Long Term Care 2009

Video

April 21, 2009 – Minneapolis

April 24, 2009 – Mankato

April 29, 2009 – Moorhead

May 7, 2009 – St. Cloud

May 29, 2009 - Duluth

Contact Information: <http://www.minncle.org/SeminarsSearch.asp> or 1 800-759-8840.

Hospice Minnesota's 2009 End-of-Life Conference

April 6 - 7, 2009

Mystic Lake Casino Hotel, Prior Lake, MN

Contact Information:

<http://www.mnhospice.org/displaycommon.cfm?an=1&subarticlenbr=197>

or 651-659-0423.

Elder Law: Long Term Care and Financial Planning

RCBA Live Presentation

April 15, 2009, 3:00 – 5:00 p.m.

Contact Information: <http://www.ramseybar.org/calendar.html> or 651-222-0846

The Basics of Elder Law: A Critical Course for Every Attorney Whose Clients are Getting Older

Live Presentation

May 18, 9:00 am

Contact Information: <http://www.minncle.org/SeminarsSearch.asp> or 1 800-759-8840.

Probate & Trust Law Section Conference

June 8 - 9, 2009

Saint Paul RiverCentre

Contact Information: <http://www.minncle.org/SeminarsSearch.asp> or 1 800-759-8840.

ELDER LAW SECTION ACTIVITIES

GOVERNING COUNCIL MEETING: The next meeting of the Elder Law Section Governing Council will be at 3:30 p.m. on Friday, April 17, 2009, at the MAO offices, 2021 E. Hennepin, Suite 200, Minneapolis. All members are welcome to attend. To participate by phone, please contact Karla Nelson with Schmitz & Schmidt, P.A., at 651-291-2405.

MA COMMITTEE MEETING: The next MA Committee meeting will be at 3:30 p.m. on Tuesday, April 21, 2009, at the MAO Offices, 2021 E. Hennepin, Suite 200, Minneapolis. Topics for the meeting may be submitted to MA Committee Chair, Cathryn Reher, at creher@mnellderlaw.com, or faxed to 952-542-9201. For directions, or to attend by phone, please contact Tracie Fenske with Long, Reher & Hanson, P.A. at 952-929-0622.

VULNERABLE ADULT COMMITTEE MEETING: The next meeting of the Vulnerable Adult Committee will be Thursday, April 30, at Noon, at the offices of Pearson, Randall, Schumacher & LaBore, P.A., 100 S. 5th Street, Suite 1025, Minneapolis, 612.767.7500. Contact co-chairs Ken LaBore at klabore@prslegal.com or Joel Smith at joel@koslaw.com for more information.

ELDER LAW SECTION ANNUAL MEETING: The annual meeting of the Elder Law Section will be on June 9, 2009, at 1:00 p.m. at Saint Paul RiverCentre.

MINNESOTA CASES

There are no Minnesota Cases to report this week.

STATUTES, REGULATIONS, BULLETINS

There are no Statutes, Regulations, or Bulletins to report this week.

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 Suzy Scheller at sscheller@prslegal.com.

If you do not wish to receive this eNewsletter, send your request to be removed from the mailing list to Kim Basting at kbasting@statebar.gen.mn.us.