

MSBA ELDER LAW SECTION E-NEWSLETTER

May 5, 2009

E-Newsletter Editorial Staff:

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HEALTH CARE BILLS PASS IN HOUSE AND SENATE

Omnibus Health and Human Services Finance bills were passed in both the House and Senate on April 27, 2009 (SF695/HF1362). The language of the bills will now be merged in Conference Committee, which is comprised of five conferees from the Senate (Berglin; Lourey; Sheran; Rosen; Prettner Solon) and five from the House (Huntley, Thissen, Hosch, Clark and Abeler). The text of the bills is available at:

- <https://www.revisor.leg.state.mn.us/bin/bldbill.php?bill=S0695.2.html&session=1s86> (SF695)
- <http://wdoc.house.leg.state.mn.us/leg/LS86/HF1362.3.pdf> (HF1362)

ELDER LAW NEWS

Baby Boomers Will Change Nursing Home Care...For Better or Worse

http://www.healthnewsdigest.com/news/Guest_Columnist_710/Baby_Boomers_Will_Change_Nursing_Home_Care_For_Better_or_Worse.shtml

High stakes for hospital, nursing homes in budget fix

<http://www.northfieldnews.com/news.php?viewStory=48260>

Nurse at Mpls. care facility used patient's credit card

<http://kstp.com/news/stories/S909795.shtml?cat=206>

POLICE: Edina nursing home employee stole credit cards

<http://kaaltv.com/article/stories/S901396.shtml?cat=10728>

Ramsey County's first case of elder abuse ends with plea

http://www.twincities.com/washington/ci_12223801

Winona health providers eye St. Paul for looming clash

<http://www.winonadailynews.com/articles/2009/05/01/news/01health.txt>

Growth of Long Term Care Costs Outpacing the Rate of Inflation in Minnesota, According to Annual Genworth Financial Study

<http://www.sunherald.com/prnewswire/story/1311351.html>

Legislature: Budget battle over health care will be the most brutal

<http://legal-ledger.com/item.cfm?recID=11723>

Minnesota looks to raise its rating for home health care

http://www.startribune.com/local/43930647.html?elr=KArks:DCiUHc3E7_V_nDaycUiD3aPc:_Yyc:aUU

Health care choices: Cut a lot or cut a lot more

http://www.startribune.com/politics/state/43784267.html?elr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:_Yyc:aUUsA

Out of money, Excelsior woman still fighting

http://www.startribune.com/local/43917782.html?elr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:_Yyc:aULPQL7PQLanchO7DiUss

House passes health bill

<http://www.austindailyherald.com/news/2009/apr/28/house-passes-health-bill/>

Nursing homes fight proposed cuts

http://www.stillwatercourier.com/articles/index.cfm?id=19952&ion=homepage&property_id=8

Swine flu Q&A with MPR's Lorna Benson

http://minnesota.publicradio.org/display/web/2009/04/29/swine_flu_qa_lorna_benson/

Taxes and health care lead agenda at Capitol

<http://minnesota.publicradio.org/display/web/2009/04/27/pugmire/>

UPCOMING EVENTS AND CLE PROGRAMS

Medical Assistance and Long Term Care 2009

Video

May 7, 2009 – St. Cloud

May 29, 2009 - Duluth

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

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 Institute
October 8-9, 2009
Minnesota CLE Conference Center

ELDER LAW SECTION ACTIVITIES

MA COMMITTEE MEETING: The next MA Committee meeting will be at 3:30 p.m. on Tuesday, June 16, 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@mnelderlaw.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.

ELDER LAW SECTION ANNUAL MEETING AND GOVERNING COUNCIL MEETING: The annual meeting of the Elder Law Section will be on June 9, 2009 at 1:00 p.m. at RiverCentre in St. Paul (following the Probate and Trust Law Annual Conference). The Annual Meeting also serves as the next Governing Council meeting.

VULNERABLE ADULT COMMITTEE MEETING: The next meeting of the Vulnerable Adult Committee will be Thursday, July 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.

MINNESOTA CASES

There are no Minnesota Cases to report this week.

STATUTES, REGULATIONS, BULLETINS

DHS BULLETIN #09-21-06: DHS IMPLEMENTS A NEW MINNESOTA CARE SLIDING FEE PREMIUM SCALE. Effective for MinnesotaCare coverage starting July 2009 and later, the steps on the sliding fee scale will be lowered and will range from 1.1% to 7.2% of monthly gross household income. As a result, some MinnesotaCare households will see a reduction in their monthly premium beginning with the premium for July 1, 2009, coverage.

The bulletin, dated April 29, 2009, is available at:

http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_144828.pdf

DHS BULLETIN# 09-69-01: 2009 POVERTY GUIDELINES AND SUGGESTED SOCIAL SERVICES FEE SCHEDULE. The bulletin provides annually updated federal poverty guidelines, which is information counties need in order to comply with Minnesota Statutes, section 256M.60, subdivision 6. This statute specifies that county

boards must not charge social services fees to persons or families whose adjusted gross household income is below the poverty level established by Federal Poverty Guidelines. The bulletin, dated April 24, 2009, is available at:

http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_144819.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 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.