

MSBA ELDER LAW SECTION E-NEWSLETTER

January 12, 2010

E-Newsletter Editorial Staff:

Communications Committee Chair: Laurie Hanson, Esq.

Editor in Chief: Suzy Scheller, Esq.

Assistant Editor in Chief: Marjorie Austin, Esq.

Contributors: Joel Smith, Esq., Kristine Mullmann, Esq., Peter Hendricks, Esq., Amanda Christman, Esq., Andrea M. Palumbo, Esq.

EDITOR'S NOTE: As always, the Communication Committee strives to deliver pertinent information to Elder Law Attorneys with the help of section members. With that in mind, the E-Newsletter Committee met in December and approved the following:

- Readers will see a new Section beginning with this edition called "*Link O' the Week*" spotlighting one useful website link or resource each week. The goal of the new section is to better serve clients by concentrating key information for attorneys. Since the name has an Irish flair, the new section will be colored appropriately in green. Please send your "Link O' the Week" suggestions to Laurie Hanson (lhanson@mnelderlaw.com) or Suzy Scheller (sscheller@prslegal.com).
 - Welcome to two new E-Newsletter staff members! Marjorie Austin, Esq. was appointed as the new Editor in Chief. Andrea Palumbo, Esq. will become the contributor for Minnesota Cases. Both members will work with the current members in their respective roles over the next two months of transition and will begin their official duties as of March 1, 2010. Thanks to both for stepping up!
 - We continue to welcome your feedback, which can be directed to Laurie Hanson at lhanson@mnelderlaw.com.
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LATEST ON HEALTH CARE REFORM BILL:

Check out the latest links below for the most up to date information about the bill.

Bill Language

House Version: [H.R.3962 - Affordable Health Care for America Act](#)

<http://www.opencongress.org/bill/111-h3962/show>

Senate Version: [H.R.3590 - Patient Protection and Affordable Care Act \(Legislative Vehicle\)](#)

<http://www.opencongress.org/bill/111-h3590/text?version=ocas>

Clearinghouses of Information

Kaiser Daily Health Care Policy Report, subscribe to the Report at:

<http://www.kaiserhealthnews.org>

The Hill e-Newsletter, a Congressional newspaper. Sign up for *The Hill News Alerts* at the top left corner of the home page at: <http://thehill.com/>.

News

Health Care Reform: 17% Expect Health Care Plan To Lower Costs, 57% Expect Costs to Go Up

http://www.rasmussenreports.com/public_content/politics/current_events/healthcare/september_2009/health_care_reform

How You Will Benefit From Health Insurance Reform: Message from Obama

<http://www.youtube.com/watch?v=eNZRVXwaOys>

Obama: Sees Wide Benefits From Health-Care Legislation

<http://www.foxbusiness.com/story/markets/obama-sees-wide-benefits-health-care-legislation/>

HEALTH CARE OVERHAUL POLL: More Nevadans unhappy with reform package and in Reid's efforts pushing it

<http://www.lvrj.com/news/more-nevadans-unhappy-with-reform-package-and-in-reids-efforts-pushing-it-81088122.html>

Mayo may see windfall from health bill

The hospital and its coalition stand to gain millions in Medicare dollars under a revised formula.

http://www.startribune.com/politics/80865647.html?elr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:_Yyc:aUUJ

LINK O' THE WEEK

New Section! Each week we will spotlight one useful website link or resource. The goal is to better serve clients by concentrating key information for section members. E-mail your ideas to Laurie Hanson at lhanson@mnelderlaw.com or Suzy Scheller at sscheller@prslegal.com.

The Inaugural Link is found close to home – the newly revamped “**Documents and Forms**” page of the Elder Law section website. The page lists many documents pertinent to Elder Law attorneys, such as links to January 2010 *Income and Asset Eligibility Figures*; Department of Human Services (DHS) *Health Care Programs Manual*; Social Security Administration’s (SS) *Programs Operations Manual System (POMS)*; the *Elderly Waiver*; and sample *Common Law Power of Attorney*.

The Link is available at: <http://www.mnbar.org/sections/elder-law/docForm.asp>.

ELDER LAW NEWS

At-home technology monitors seniors for safety, preserves privacy

<http://www.miamiherald.com/news/5min/story/1406217.html>

At-home health care braces for federal reform

http://www.qctimes.com/news/local/article_711830b2-f757-11de-8563-001cc4c002e0.html

Minnesota To Shut Down Online Prescription Drug Importation Program

<http://www.ihealthbeat.org/articles/2010/1/7/minnesota-to-end-online-prescription-drug-import-program.aspx>

Drug-import program: In like a lion, out like a lamb

http://www.startribune.com/local/80818647.html?elr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:_Yyc:aUUsA

Pawlenty: No Budget Cuts For Veterans

<http://wcco.com/health/pawlenty.veterans.budget.2.1407046.html>

Facing an epidemic of abuse, Minnesota is now tracking prescriptions such as Vicodin and OxyContin to prevent doctor-shopping.

http://www.startribune.com/lifestyle/health/80863187.html?elr=KArksLckD8EQDUoaEyqyP4O:DW3ckUiD3aPc:_Yyc:aUUsZ

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The hospital and its coalition stand to gain millions in Medicare dollars under a revised formula.

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Can Cell Phones Help Fight Alzheimer's?

Study Shows Exposure to Electromagnetic Waves May Prevent Alzheimer's Disease

<http://www.webmd.com/alzheimers/news/20100106/can-cell-phones-help-fight-alzheimers>

Wealthy Areas Attract Assisted-Living Homes

Study Shows Assisted-Living Facilities Are Concentrated in High-Income Counties

<http://www.webmd.com/healthy-aging/news/20100105/wealthy-areas-attract-assisted-living-homes>

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.

UPCOMING EVENTS AND CLE PROGRAMS

Health Care Reform in Minnesota: The Impact on Older Adults

Vital Aging Network Forum

Wilder Center Auditorium

451 Lexington Parkway North

St. Paul, MN 55104

January 12, 2010, 8:00 AM to 12:30 PM

Contact Information: <https://secure.acceptiva.com/?cst=369319> or 651-917-4652.

Impact of the 2009 Medical Assistance Amendments on Probate Practice – What You Need to Know

Minnesota CLE Webcast

Wednesday, January 13, 12:00 - 1:00 p.m.

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

Estate Planning for the Final Years of Life

Lorman Teleconference

January 20, 1:00 p.m.

Contact information: <http://www.lorman.com/teleconference/teleconference.php?pid=207029> or 1-866-878-9329.

Elder Law Institute

Video Replays

January 21-22, 2010 – Duluth

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

Probate & Estate: Caring for the Caregiver – What Elder Law Attorneys Need to Know

Minnesota CLE Webcast

January 25, 12:00 – 1:00 p.m.

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

Probate & Estate: State-of-the Art Special Needs Trusts

Minnesota CLE Webcast

January 27, 12:00 – 2:00 p.m.

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

Elder Law 2010: Issues and Answers

HCBA Live Seminar

January 28, 2010

Contact Information: <https://www.hcba.org/intus/Event3/event.asp> or 612-752-6600.

Estate Planning in Uncertain Times (including Medical Assistance)

Video Replay

February 12, 2010 - Duluth

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

Advanced Issues in Guardianships and Conservatorships

Minnesota CLE Live Seminar

February 24

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

Medical Assistance: "What's Going On?"

Minnesota CLE Live Seminar

March 1

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

ELDER LAW SECTION ACTIVITIES

VULNERABLE ADULT COMMITTEE MEETING: The next meeting of the Vulnerable Adult Committee will be Thursday, January 28, 2010 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.

MA COMMITTEE MEETING: The next MA Committee meeting will be at 3:30 p.m. on Tuesday, February 16, 2010, 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.

GOVERNING COUNCIL MEETING: The next meeting of the Elder Law Section Governing Council will be at 3:30 p.m. on Friday, February 19, 2010, at the MAO offices, 2021 E. Hennepin, Suite 200, Minneapolis. All members are welcome to attend. To participate by phone, please contact Vicki McIntyre at vmcintyre2@yahoo.com or 612-722-8572.

GREATER MINNESOTA COMMITTEE: Please contact Bonita Kallestad at 1-320-235-9600 or bkallestad@westernlegal.org with issues you would like the Greater Minnesota Committee to address. Also contact Bonita if you would like to serve on the Greater Minnesota Committee.

DON'T FORGET THAT THE ELDER LAW WEBSITE IS A GREAT RESOURCE.

Here's what you can find on the Website: Links to the DHS Health Care Programs Manual, the DHS Bulletin on treatment of uncompensated transfers, the Minnesota Bankers Association Compliance Bulletin on Powers of Attorney, legislative summary; Practice Links to organizations such as NAELA, ABA Commission on Law and Aging, 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 E-Newsletter contributions by noon on Saturday of each week to Suzy Scheller at sscheller@prslegal.com.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Elyse Farnsworth at efarnsworth@statebar.gen.mn.us.

Current and prior E-Newsletters are posted on the website for the MSBA Elder Law Section and are available at: <http://www2.mnbar.org/sections/elder-law/newsletters.asp>.