

MSBA ELDER LAW SECTION E-NEWSLETTER
January 19, 2010

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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

<http://www.healthreform.gov/>

Health Care Reform: Full Coverage

http://www.cbsnews.com/2718-250_162-209.html

Health Care News

<http://www.foxnews.com/topics/politics/healthcare/health-care.htm>

Dash to finalize healthcare reform

<http://www.ft.com/cms/s/0/73a31c46-023f-11df-8b56-00144feabdc0.html>

Sicker by the day: Health care reform gets a little weaker with each ugly deal

http://www.nydailynews.com/opinions/2010/01/17/2010-01-17_sicker_by_the_day.html

SENATE HEARING ON NURSING HOME FALLS

The Minnesota Senate Health, Housing and Family Security Committee has scheduled a hearing for Thursday, January 21, to address falls and falls-related deaths in nursing homes, which were highlighted in a recent Minneapolis Star Tribune series. Testimony is expected from the Department of Health, nursing homes, caregivers and senior advocates. The hearing will be held at 1 p.m. in room G-15 of the State Capitol.

LINK OF THE WEEK

New Section! Each week we will spotlight one useful website link or resource. The goal is to serve clients better 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 spotlighted link for this week is *Useful Links* on the revamped Elder Law Section website. *Useful Links* allows you to connect to various websites, including the Office of Ombudsman for Long Term Care; MNHelp.info; ABA Commission on Law and Aging; and Elder Law Prof Blog.

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

NOTE: Initial feedback was that last week's green color for the "Link O' the Week" may not be as readable and did not fit well into the E-Newsletter, so the Irish theme has made way to practicality.

ELDER LAW NEWS

Minnesota victims of salmonella outbreak push for food-safety legislation
http://www.twincities.com/politics/ci_14196474

Plan to cover health care for needy is unfair, Hennepin County says
<http://www.startribune.com/politics/state/81615612.html?elr=KArks:DCiUUUU>

Patients demand: 'Give us our damned data'
<http://www.cnn.com/2010/HEALTH/01/14/medical.records/>

How to Cope with Aging Parents
<http://macpearl.blogspot.com/2010/01/how-to-cope-with-aging-parents.html>

HBO's 'The Alzheimer's Project'
<http://www.hbo.com/alzheimers/>

Alzheimer's Disease, Where America Stands
<http://www.cbsnews.com/stories/2010/01/12/eveningnews/main6089027.shtml?tag=contentBody;featuredPost-PE>

Minnesota Supplemental Aid's Special Dietary Program
<http://www.wdio.com/article/stories/S1357471.shtml?cat=10349>

The littlest volunteer: Any age is a good age to get kids involved in volunteering and nurture a sense of compassion.
<http://www.startribune.com/lifestyle/81044452.html?page=1&c=y>

Senior Citizen Exercise Appears to Prevent, Improve Mild Cognitive Impairment:
Moderate exercise in late life for men and woman was associated with a 32% reduction in the odds of developing cognitive impairment.
<http://seniorjournal.com/NEWS/Fitness/2010/20100111-SenCitExerciseAppears.htm>

Drug benefit adds 1 million more seniors Program expanded to elderly with life insurance, other financial assistance http://www.msnbc.msn.com/id/34765715/ns/health-health_care/

MINNESOTA CASES

There are no Minnesota Cases to report this week.

STATUTES, REGULATIONS, BULLETINS

STATE REGISTER, Volume 34, Number 28 released Monday 11 January 2010, Pages 947 – 976. Updates to Rules relevant to Elder Law include the following:

- Department of Health (MDH) - Adopted Expedited Permanent Rules Relating to Health Care Homes....page 951
- Department of Human Services (DHS) - Nursing Facility Rates and Policy Notice of Request for Proposals – Technical Assistance to Nursing Facilities...page 971
- Minnesota Department of Human Services (DHS) - Minnesota Board on Aging Notice of Alzheimer's Disease Working Group Meeting January 21, 2010....page 963

The register is available at:

http://www.comm.media.state.mn.us/bookstore/stateregister/34_28.pdf.

DHS BULLETIN #10-21-02: Access Transportation Services (ATS) Information. The purpose of this bulletin is to provide local agency staff information and clarification about guidelines for administering access transportation services (ATS) available through the Minnesota Health Care Programs (MHCP). This bulletin is for ATS for State Plan services only and applies to local agencies (counties/tribes). The bulletin, dated 1/13/2010, is available at: http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_147733.pdf

UPCOMING EVENTS AND CLE PROGRAMS

**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>.