

## **MSBA ELDER LAW SECTION E-NEWSLETTER**

### **February 16, 2010**

#### **E-Newsletter Editorial Staff:**

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### **SSA ADDS EARLY-ONSET ALZHEIMER'S TO ELIGIBILITY LIST**

The Social Security Administration (SSA) announced that it has added early-onset (younger-onset) Alzheimer's disease to the list of conditions under its Compassionate Allowance Initiative. Under this initiative, SSA will find individuals with certain diseases/conditions eligible for Social Security disability (SSDI), Supplemental Security Income (SSI), and other disability benefits by the nature of the disease. While applicants would still have to meet other SSDI criteria and/or SSI criteria, when it comes to the disability criterion, they would be considered eligible by virtue of the disease and fast-tracked for a favorable decision about their eligibility for SSDI and SSI benefits.

Social Security disability benefits are very important to individuals with early-onset (younger-onset) Alzheimer's and related dementias who are often initially denied benefits but usually win on appeal. By adding early-onset Alzheimer's disease to the list of "Compassionate Allowance" conditions, it will simplify and streamline the SSDI/SSI application process and should result in them receiving SSDI/SSI benefits faster.

In addition to early-onset (younger -onset) Alzheimer's disease, there are four "related dementias" on the Compassionate Allowance List. They are: frontotemporal dementia (FTD) – Pick's disease, Creutzfeldt - Jakob disease, mixed-dementia and primary progressive aphasia. There are now 88 conditions that have been included as part of the Compassionate Allowance Initiative. See [www.ssa.gov/compassionateallowances](http://www.ssa.gov/compassionateallowances) for more information.

Laurie Hanson  
Chair, MSBA Elder Law Section Communications Committee  
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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 Health Care Reform 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/>

Health Care Reform: U.S. Department of Health & Human Services

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

### **Latest Health Care Reform News Reports**

Washington Post: “Americans still want health-care reform

[http://voices.washingtonpost.com/ezra-klein/2010/02/americans\\_still\\_want\\_health-ca.html?wpisrc=nl\\_pmpolitics](http://voices.washingtonpost.com/ezra-klein/2010/02/americans_still_want_health-ca.html?wpisrc=nl_pmpolitics)

Washington Post: “Obama’s healthcare summit sets stage for end-game

<http://www.washingtonpost.com/wp-dyn/content/article/2010/02/08/AR2010020802857.html>

NY Times: “Obama Plans Bipartisan Summit on Health Care”

<http://www.nytimes.com/2010/02/08/us/politics/08webobama.html?scp=2&sq=healthcare%20reform&st=cse>

## **LINK OF THE WEEK**

**ABA Commission on Law & Aging:** The mission of the ABA Commission on Law and Aging is to strengthen and secure the legal rights, dignity, autonomy, quality of life, and quality of care of elders. It carries out this mission through research, policy development, technical assistance, advocacy, education, and training.

The Commission consists of a 15-member interdisciplinary body of experts in aging and law, including lawyers, judges, health and social services professionals, academics, and advocates. With its professional staff, the Commission examines a wide range of law-related issues. From within the site, you can download copies of reports on a wide variety of topics. The Commission’s site is also the home of the National Legal Resource Center for elder law related issues.

Access the Commission’s website via the “Useful Links” area of the Elder Law Section website, <http://www.mnbar.org/sections/elder-law/practiceLinks.asp>.

## **ELDER LAW NEWS**

Social Security Disability – Breaking News

[http://www.alz.org/living\\_with\\_alzheimers\\_social\\_security\\_disability.asp?type=homepage](http://www.alz.org/living_with_alzheimers_social_security_disability.asp?type=homepage)

Woman steals identity of nursing home resident

<http://www.delmarvanow.com/article/20100205/DW01/100205034/-1/DW/MILTON--Local-woman-steals-identity-of-nursing-home-resident>

A.G. sues discount health care companies

[http://www.kare11.com/news/news\\_article.aspx?storyid=841404](http://www.kare11.com/news/news_article.aspx?storyid=841404)

Feeding tubes may be overused in demented patients

<http://www.reuters.com/article/idUSTRE6195RD20100210>

Health care reform a 2010 priority -- Too many people have the ability to finance their long-term care, but use the state's medical assistance programs instead

<http://www.bemidjipioneer.com/event/article/id/100015767/group/Opinion/>

Early Abuse Leads to Depression Later in Life

<http://psychcentral.com/news/2010/02/10/early-abuse-leads-to-depression-later-in-life/11326.html>

Number of Minnesotans uninsured jumps by 100,000

[http://www.startribune.com/lifestyle/health/83655757.html?elr=KArksc8P:Pc:UHDaaDyiUiD3aPc:\\_Yyc:aUU](http://www.startribune.com/lifestyle/health/83655757.html?elr=KArksc8P:Pc:UHDaaDyiUiD3aPc:_Yyc:aUU)

## **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**

**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.

**Elimination of Bias Training: Advising and Representing Gay, Lesbian, Bisexual and Transgender Elders**

**MN Legal Services Coalition**

March 26

Contact Information: <http://www.projusticemn.org/link.cfm?14483>

**Rural Urban Connections Video Conferences**

Multiple Video Conferences with Various Topics

March 29, Northeast Minnesota

Tentative Topic: Health Care/Entrepreneurship

Contact Information:

<http://go2.wordpress.com/?id=725X1342&site=mnruralpartners.wordpress.com&url=http%3A%2F%2Fblog.rurb.mn%2Fvideoconferences%2F>

**Four Programs on Aging**

**Circle of Life Aging Services**

February 25

“Biological Aspect of Aging”

Shoreview Community Center

March 2

“Psychological Aspects of Aging”

Bloomington Center of the Arts

March 22

“Sociological Aspects of Aging”

Shoreview Community Center

March 23

“Ethics and Professionalism in the Aging Field”

Bloomington Center of the Arts

Contact Information: <http://www.circleoflifemn.com/training/schedule.html>

**ELDER LAW SECTION ACTIVITIES**

**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](mailto: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](mailto:vmcintyre2@yahoo.com) or 612-722-8572.

**VULNERABLE ADULT COMMITTEE MEETING:** The next meeting of the Vulnerable Adult Committee will be Thursday, April 29, 2010 at Noon, at the offices of Pearson, Randall, Schumacher & LaBore, P.A., 100 S. 5<sup>th</sup> Street, Suite 1025, Minneapolis, 612.767.7500. Contact co-chairs Ken LaBore at [klabore@prslegal.com](mailto:klabore@prslegal.com) or Joel Smith at [joel@koslaw.com](mailto:joel@koslaw.com) for more information.

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**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>.

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Please send E-Newsletter contributions by noon on Saturday of each week to Suzy Scheller at [sscheller@prslegal.com](mailto:sscheller@prslegal.com) and Marjorie Austin at [mj@mjaustinlaw.com](mailto:mj@mjaustinlaw.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](mailto: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>.