

MSBA ELDER LAW SECTION E-NEWSLETTER

September 15, 2009

E-Newsletter Editorial Staff:

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WHAT'S NEW IN THE ELDER LAW SECTION?

The Elder Law Section's student membership has continued to grow over the past few years and now comprises ten percent of total section membership. Due to the increase in student membership, the Governing Council is making an effort in 2009-10 to provide more opportunities for student involvement in the work of the section. This year, four student members - the most ever, and the maximum allowed by section bylaws - are seated on the Governing Council. Two of our student members, Laura Orr and Jenny Olin, are law students at St. Thomas and the other two, Kristina Ebbott and Gary Smith, attend William Mitchell College of Law. Welcome to our students!!

Elder Law Institute - Pro Bono Session

The student members of the Governing Council have hit the ground running this year with their first major project: the creation of a breakout session on pro bono opportunities for the Elder Law Institute. After accepting the assignment to create the ELI program, the students immediately began researching, preparing written materials, and securing speakers for the breakout session. The session, which is now finalized, will be presented at the ELI on the afternoon of October 8th.

As a result of their great work, the students have secured a panel of five speakers for the ELI presentation. During the presentation, the speakers will provide information about

their organizations and volunteer needs for the year ahead. The presentation will also offer an in-person opportunity for attendees to ask questions and learn more about the organizations represented. The panel of presenters will include:

- Eric Jonsgaard, Senior Director - Guardianship Options program, Lutheran Social Services
- Greg Marita, Supervising Attorney - Senior Law Project, Legal Aid Society of Minneapolis
- Andrea Jepson, Elder Law Unit, Southern Minnesota Regional Legal Services (SMRLS)
- Carolyn Swenson, Director of Volunteer Services, Little Brothers-Friends of the Elderly
- Natasha Merz, Regional Ombudsman, Office of the Ombudsman for Long-term Care

Anyone interested in more information about pro bono opportunities or non-legal volunteer opportunities involving seniors may find this special presentation of interest. The ELI is fast approaching, so if you have not yet registered, please do so soon. Registration is available through the brochure previously sent out to members, online at www.minncle.org/SeminarDetail.aspx?ID=104211001, or by calling Minnesota CLE at 651-227-8266 or 800-759-8840.

Other Student Opportunities

Student Governing Council members have also been asked to consider what programs, projects, or opportunities might provide student section members with a greater membership benefit. If anyone has ideas on how we might further engage/educate our student members about the issues involved in the practice of elder law, please contact me or Law Student Committee Chair, John Kantke, at jkantke@houkpa.com.

I look forward to hearing from you and seeing you at the Elder Law Institute!

Vicki McIntyre

Chair, Elder Law Section Governing Council

vmcintyre@mcintyrelegal.com

ELDER LAW NEWS

September Senior Legal Line

<http://www.twoharborsmn.com/event/article/id/18919/group/Community/>

Healthy Minnesota offers Obama model for nation

<http://kstp.com/news/stories/s1133619.shtml?cat=1>

2008 was a tough year for Minnesotans, according to census data

http://www.twincities.com/ci_13312168?nclick_check=1

Minnesota outlook: 'We have an economic tsunami coming our way' – State leaders fear unprecedented fiscal crisis

http://www.twincities.com/ci_13294766?source=most_emailed

How to make the nursing home decision.

<http://www.examiner.com/x-20416-Virginia-Beach-Elder-Care-Examiner~y2009m9d10-How-to-make-the-nursing-home-decision>

Free money savings for seniors and their caregivers!

<http://www.examiner.com/x-20416-Virginia-Beach-Elder-Care-Examiner~y2009m8d24-Free-money-savings-for-seniors-and-their-caregivers>

Alzheimer's Disease

http://health.nytimes.com/health/guides/disease/alzheimers-disease/overview.html?WT.mc_id=HL-D-I-NYT-MOD-FP-CM2-HL-0308-ALZ&WT.mc_ev=click&mkt=HL-D-I-NYT-MOD-FP-CM2-HL-0308-ALZ

Apology to the Little Old Ladies of Wright County Minnesota

<http://www.examiner.com/x-11172-Minneapolis-Independent-Examiner~y2009m9d8-Apology-to-the-Little-Old-Ladies-of-Wright-County-Minnesota>

Rock of age-ism: Should we cut our musical heroes some slack as they perform in their senior years?

<http://www.startribune.com/entertainment/music/57043482.html?elr=KArksUUUoDEy3LGDio7aiU>

Helping Seniors Breathe Easier

<http://www.startribune.com/jobs/healthcare/54567997.html?elr=KArksUUUoDEy3LGDio7aiU>

When Couples Work Together, A Mixed Blessing?

<http://blogs.wsj.com/juggle/2009/09/10/when-couples-work-together-a-mixed-blessing/>

Along With the New H1N1, Some Nasty Traditional Strains Are Raising Concerns

<http://online.wsj.com/article/SB125253762231697529.html>

MINNESOTA CASES

There are no Minnesota Cases to report this week.

STATUTES, REGULATIONS, BULLETINS

DHS BULLETIN #09-69-04: UNALLOTMENT OF STATE FUNDS FOR EGA, EMSA, AND MSA SPECIAL DIETS. Pursuant to *Minnesota Statutes, section 16A.152, subdivision 4*, the commissioner of Finance (Minnesota Management and Budget) has reduced the amount allotted for Emergency General Assistance (EGA) and Emergency Minnesota Supplemental Aid (EMSA) by \$6 million for state fiscal year (SFY) 2010 and \$9 million for SFY 2011. The amount allotted for Minnesota Supplemental Aid Special Diets (MSA-SD) was also reduced by \$2.133 million for SFY 2010 and \$3.2 million for SFY 2011. The unallotments have the effect of suspending these programs beginning November 1, 2009 (or earlier for counties that deplete their state allocation for EGA or EMSA prior to November 1) through June 30, 2011. Because state funding has been unallotted rather than the programs themselves having been eliminated, counties will have the option of continuing all or some of the programs at county expense. The Bulletin, dated 9/11/09, is available at: http://www.dhs.state.mn.us/main/groups/publications/documents/pub/dhs16_146199.pdf.

UPCOMING EVENTS AND CLE PROGRAMS

Elder Law Institute

Minnesota CLE Conference

October 8-9, 2009

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

Estate Planning in Uncertain Times (including Medical Assistance)

Minnesota CLE Live Presentation

October 19, 2009

Contact Information: <http://www.minncle.org/SeminarList.aspx> 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 12:30 p.m. on Friday, October 9, 2009, at the conclusion of the Elder Law Institute, at the Minnesota CLE Conference Center, 3rd floor City Center, Minneapolis. All members are welcome to attend. To participate by phone, please contact Vicki McIntyre at vmcintyre2@yahoo.com or 612-722-8572.

MA COMMITTEE MEETING: The next MA Committee meeting will be at 3:30 p.m. on Tuesday, October 20, 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.

VULNERABLE ADULT COMMITTEE MEETING: The next meeting of the Vulnerable Adult Committee will be Thursday, October 29, 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.

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://www.mnbar.org/sections/elder-law/newsletters.asp>.