

MSBA ELDER LAW SECTION E-NEWSLETTER
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E-Newsletter Editorial Staff:

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THOUGHTS FROM THE CHAIR

THANK YOU to all the speakers, attendees, MN CLE staff, and Planning Committee for another successful Elder Law Planning Institute! We do not have all the data collected, but our registration numbers appear to be over 225 and on par with several prior Institutes. The feedback in general was favorable, particularly for the breadth of topics, Department of Human Services, Medicare and government perspectives, and the informal and “human” side of the panel discussions. The information shared was helpful to those in attendance.

We always look to improve every year. If you did not complete a survey at the Institute, you may e-mail feedback to me at suzy@schellerlegalsolutions.com. Note that our next Governing Council meeting is December 16, 2011. Mark your calendars and look for upcoming CLE, student/new lawyer networking, or other opportunities, which we are in the process of organizing for the benefit of our members.

Sincerely,
Suzy Scheller, Chair of the Elder Law Section
suzy@schellerlegalsolutions.com

LINK OF THE WEEK

DHS posts lawsuit settlement agreement, claim information

Earlier this year DHS reached a settlement in a class action lawsuit filed on behalf of residents with developmental disabilities who were restrained or secluded at Minnesota Extended Treatment Options (METO), a department-operated facility in Cambridge. The settlement calls for class members to use a claim form to request their share of the settlement money and to provide information that can be considered by the court in its determinations. More information about the settlement has been posted online at [here](#).

Submitted by Kim Dayton, Esq.
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ELDER LAW NEWS

2012 Medicare enrollment has twists for some Minnesotans

http://www.twincities.com/ci_19123185

Early Deadline For Medicare Enrollment This Year

<http://minnesota.publicradio.org/features/npr.php?id=141348027>

The next step for senior housing

<http://www.startribune.com/local/south/131624688.html>

Troubled long-term care program is first casualty in the political wars over Obama's overhaul

<http://www.startribune.com/lifestyle/wellness/131909458.html>

Submitted by Joel Smith, Esq.

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ELDER LAW CASES

There are no new Minnesota cases to report this week.

STATUTES, REGULATIONS, BULLETINS

DHS announces creation of the Office of Inspector General

DHS announced Aug. 18 revamping of its fraud prevention and recovery efforts, organizing them into a single office based on the federal inspector general model. This reorganization will allow DHS to increase its focus on fraud prevention and recovery, streamline its external program integrity operations, and more effectively structure staff who investigate, audit and evaluate others. This change is part of an increased emphasis by DHS on fraud prevention and recovery, furthering Gov. Mark Dayton's commitment toward cultivating a more transparent state government that works for all Minnesotans. More information is in a [news release about the new position](#).

Financial workers, case aides recognized by governor proclamation

Gov. Mark Dayton proclaimed Sept. 28 as County Financial Worker and Case Aide Day. The proclamation recognizes the outstanding service provided by county financial workers and case aides, particularly their role throughout this year in expanding Medical Assistance to low-income adults without children. The [proclamation \(PDF\)](#) was presented on behalf of the governor during the annual Minnesota Financial Workers and Case Aides Association conference.

Expansion of Senior LinkAge Line as 'One Stop Shop' announced

The expansion of the Senior LinkAge Line® as a "One Stop Shop for Seniors" was announced during Seniors Day at the Minnesota State Fair. Lt. Gov. Yvonne Prettner Solon and DHS

Commissioner Lucinda Jesson announced the service expansion for the line, which is operated by the [Minnesota Board on Aging](#). More information is available in a [story on the DHS website](#) and a [news release on the Governor's Office website](#).

Minnesota ranks first in services for elderly, people with disabilities

Minnesota ranks first nationally among states in delivering services for older adults and people with disabilities, according to a national report released Sept. 8. AARP, The Commonwealth Fund and The SCAN Foundation placed Minnesota first, outperforming other states in long-term services and supports. More information about the report can be found in a [news release about the scorecard, Raising Expectations: A State Scorecard on Long-Term Services and Supports for Older Adults, People with Physical Disabilities, and Family Caregivers](#), on the AARP website.

Submitted by Peter Hendricks, Esq.
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UPCOMING EVENTS AND CLE PROGRAMS

There are no upcoming events/CLE programs to report this week.

ELDER LAW SECTION ACTIVITIES

MA COMMITTEE MEETING: The next MA Committee meeting will be at 3:30 p.m. on Tuesday, October 18, 2011. The Medical Assistance Committee is a study group to analyze Elder Law Section member questions and case studies and to discuss administrative policies and procedures in relation to Medical Assistance in Minnesota. Cathryn D. Reher of Long, Reher & Hanson, P.A., is Committee Chair. For directions, or to attend by phone, please contact Tracie Fenske with Long, Reher & Hanson, P.A., at [952-929-0622](tel:952-929-0622) at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to tfenske@mnelderlaw.com under the subject heading "MA Committee Topic", or faxed to [952-542-9201](tel:952-542-9201). Please be reminded that the meeting location is: Estate & Elder Law Services (formerly MAO Legal Services), Monroe Village, 1900 Central Avenue NE, Suite 106, Minneapolis, Minnesota 55418. There are a few parking spaces behind the building and lots of street parking. People should walk to the back of the building and come to the back door which faces directly into the meeting room.

GOVERNING COUNCIL: The next meeting of the Elder Law Section Governing Council will be on Friday, December 16, 2011 at 3:30 pm at the offices of the Volunteers of America (VOA) at 1900 Central Avenue NE, Suite 106, Minneapolis, MN 55418. For further information, please contact Suzy Scheller, Chair, at: suzy@schellerlegalsolutions.com.

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

Please send E-Newsletter contributions by 10 p.m. on Sunday of each week to Allison Burke at allison@twincities-elderlaw.com.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Tamara Patton at tpatton@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/newsletter.asp>.