

New York Medicaid Planning and Applications

Many of us fear that we may one day lose the ability to live independently and care for ourselves. When this occurs, the choices for most of us are nursing home care, assisted living or home care. In the greater New York area, depending on the level of care, nursing homes cost between \$150,000.00 and \$250,000.00 a year. Assisted living facilities charge a monthly rate for room and board but add additional charges for services. These include all aspects of daily care such as assistance with bathing and dressing, calling for residents to attend meals and activities, and medication management. In addition, many assisted living facilities make special provisions for those residents who have diminished capacity and require more careful monitoring. Naturally, this is costly and may even exceed the cost of ordinary care in a nursing home. Even home care can cost in excess of \$10,000.00 a month if one requires care 24 hours a day. Many people believe that Medicare pays for long-term care but that is not the case.

However, for a qualified applicant, all of these options can be paid for through the Medicaid system. Medicaid eligibility is complex but careful planning, whether in response to a “crisis,” an accident, illness or other incapacitating event, or in advance of the need for long-term care, can help protect your estate. This is called **Medicaid Planning** - planning ahead to accelerate qualification for Medicaid benefits when the need arises.

Medicaid Planning must be tailored to meet the individual’s needs. Every case is different. Some people own homes or have significant savings, either in the bank or in an investment portfolio. Some have retirement accounts. Others have interests in businesses or real estate. Some have substantial income while others survive on Social Security. Some Medicaid applicants, or *prospective* applicants, are single and others are married. Some enjoy the support of family members and others do not.

Berwitz & DiTata LLP offers Medicaid Planning to help clients structure their financial resources, create trusts, manage asset transfers, convert countable assets into exempt assets and protect the family home from potential Medicaid recovery. If there is a healthy spouse, we seek to ensure that he or she has adequate income and resources to continue living independently during and after the time their partner begins receiving care.

Our experienced attorneys stand ready to consult with you and your family to develop a plan that will meet your individual needs. Our proven strategies of asset protection will maximize Medicaid eligibility. We will prepare, submit and present the **Medicaid application** and can represent you in hearings before your local Medicaid agency.