California Medicaid and Elder Law: Representing Clients in a New Legal Landscape

Description: Easily navigating through Medicaid law issues is essential to the success of your client's long-term planning efforts.

This topic will review Medicaid eligibility issues, including eligibility rules, application process, and strategies. To properly advise the increasing population of Medicaid eligible individuals, it is essential to have a comprehensive knowledge of Medicaid and elder planning. Learn how to protect your clients’ assets and provide the high-quality services they're looking for. Explore the complexities of Medicaid eligibility, learn the latest strategies for transferring assets, and discover common planning considerations for elderly clients.

Learning Objectives:
- You will be able to describe the intersection of legal and medical elements of your client's care plan.
- You will be able to identify your client and the resources you each need.
- You will be able to recognize liability issues, to prevent harm to your client and to yourself.
- You will be able to discuss and correct misunderstandings about how the estate recovery claim works in California, for post-death recoupment of paid benefits from the Medi-Cal recipient's estate.

Contents:
Who Is My Client?
- Why Do I Need to Know?
- How Do I Tell?
- Who Can Help Assess the Situation Presented to Me?

Do the Legal and Medical Elements of My Client’s Care Plan Intersect? Where?
- For Each Field, Do the Borders and Boundaries Differ? Why?
- Does the Medical Relationship Differ From How My Attorney/Client Relationship Works?
- What Can I Do as an Attorney When My Client’s Goal Is Unclear?

Do I Have a Choice Between Providing Representation or Best Interest Legal Services? Why Not?
- What Duties Do I Owe to My Client?
- Does a Representation Attorney Represent the Client?
- Why Can’t I Be a Best Interest Attorney?

Does the Covered California Exchange Affect My Role and Goal (to Provide Legal Services)?
- Do I Already Know About Medical Coverage
- What Do I Already Know About Financial Eligibility for Medi-Cal?
- What Have I Already Learned About Enforcement of the Estate Recovery Claim for Recoupment From the Estate of the Recipient?
- What Do I Now Need to Know About Future Eligibility and Future Enforcement to Navigate the Changing Federal Landscape?
- Are These Changes for California Only?

Does the EOLA/End of Life Act (AB2x-15) Affect My Client's Options?
- What Duties Do I Owe My Client?
- Can I Be a Best Interest Attorney?
- When Does a Representation Attorney Represent the Client?
- How Do I Navigate Between Best Interest and Representation?

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