



The Anchor

ELDER LAW PRACTICE OF TIMOTHY L. TAKACS ♦ 201 WALTON FERRY ROAD, HENDERSONVILLE, TN
Serving Middle Tennessee and the Upper Cumberland Region

Fall 2013 Issue 48

Coming Events

October 22

Bonnie Woodard presents *Medicare: Answers to the Most Important Questions*. 5:30 p.m. Elmcroft of Twin Hills, Madison, TN. (615) 855-1979.

October 24

Cookeville Senior Expo. Tennessee Technological University's Hyder-Burks Agricultural Pavilion. 8:00 a.m. - 12:00 p.m.

December 6

Making Memories at the Frist. 10:30 a.m. Frist Center for the Arts, Nashville. (615) 292-4938.

December 7

Coffee Connections for Life Care Plan clients. 2 p.m. Call for location info. (615) 824-2571.

Early Stage Memory Loss Support Group

Call (931) 526-8010 for dates, times and locations in the Upper Cumberland area.

Alzheimer's Association Support Groups

Call (800) 272-3900 or (615) 315-5880 for dates, times and locations closest to you.

For more events, visit www.ElderLawEducation.com.

*Dates and times are subject to change. Visit www.TN-ElderLaw.com for the latest information.

Open Enrollment Confusion

Open Enrollment for 2014 Brings New Decisions, New Challenges

Amid all the talk of the Affordable Care Act (ACA), the new health-insurance marketplaces and the penalties that people will have to pay if they don't buy insurance, there hasn't been much communication to Medicare beneficiaries about how, if at all, these major changes apply to them.

Government officials are now working overtime to reassure Medicare beneficiaries that their benefits are not changing and that they won't be participating in the health insurance marketplace. Medicare beneficiaries can ignore the whole thing!

It's a needed message, especially because scammers have already begun taking advantage of confusion over the ACA to

target older consumers. AARP officials in Denver received complaints from Medicare recipients who were told they would lose their coverage if they didn't divulge their Social Security numbers and other confidential information for their new "national health insurance card."

The provisions of the ACA that do apply to Medicare recipients have already gone into effect, including the expansion of screenings that are available without cost to patients. The more important open enrollment date for Medicare recipients to keep in mind is October 15, which kicks off the seven-week window when people with the private Medicare health plans known as Medicare Advantage can

switch coverage, and people with traditional Medicare can switch into or out of Medicare Advantage and Medicare Part D drug plans.

Open enrollment ends on December 7, 2013 and changes made

will be effective on January 1, 2014.

What can Medicare beneficiaries do during Medicare Open Enrollment to make things go more smoothly? Here are a few helpful DOs and DON'Ts.

- ♥ DO make sure you know what coverage you have, and why you have it.
- ♥ DO make sure you understand the implications of changes you make during Open Enrollment. Some health

Medicare beneficiaries can ignore the new health insurance marketplace.

Continued on Page 2

Questions & Answers

Q *What is observation care?*

A Hospitals provide observation care for patients who are not well enough to go home but not sick enough to be admitted. This care requires a doctor's order and is considered an outpatient service, even though patients may stay as long as several days. The hospitalization can include short-term treatment and tests to help

doctors decide whether the patient should be admitted.

Q *How do I know if I'm an observation patient and can I change my status?*

A The only way to know for sure is to ask. If you believe you should be admitted, ask your doctor to change your status to inpatient. However, even if the doctor agrees, the hospital may be able to overrule

that decision or Medicare can change it later when reviewing the claim.

Q *Can a veteran receive Aid and Attendance and Housebound allowances at the same time?*

A Aid and Attendance and Housebound allowances, which increase a veteran's pension amount, cannot be paid at the same time. This applies to veterans and their surviving spouses.~



"It is not by muscle, speed or physical dexterity that great things are achieved, but by reflection, force of character, and judgment;

Confusion (continued from Page 1)

plans sell Medigap policies, Medicare Advantage Plans and Medicare Part D drug plans.

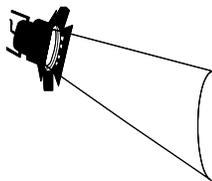
- ♥ DO think carefully about whether you need to make any changes at all. If you do nothing during the open enrollment period, you will automatically be renewed for the next year in whatever plan you are in.
- ♥ DO choose a Medicare Part D drug plan based on the drugs you are taking.
- ♥ DO use Medicare's internet tool for comparing drug plans.

Visit Medicare.gov, call Medicare 24/7 at (800) 633-4227 or speak to a trusted pharmacist.

- ♥ DON'T do anything if you are happy with the way things are.
- ♥ DON'T choose a Part D drug plan just because your neighbor did. Annual costs for prescriptions and coverage can vary depending on what drugs you need.
- ♥ DON'T pay more than you have to. Medicare assistance is available for people with low income and limited resources. For more information about the

Medicare Savings Program or Part D Extra Help, visit Medicare.gov, SSA.gov or call (800) 624-5547, (800) 238-1443, or (877) 801-0044.

- ♥ DON'T worry about the open enrollment period if you are a resident of a nursing home or are covered by Medicaid, Extra Help or the Medicare Savings Program. Individuals in these programs have a special period and can make changes throughout the year. Also, if you are new to Medicare, you will be given an initial opportunity to make choices.~



GUEST COLUMN

Medical Home: A New Approach to Healthcare Delivery

Pick up any newspaper these days and you will find no shortage of headlines trumpeting the uncertainty of our nation's health care system. One thing is certain: the healthcare system as we know it today will not exist in the future. Physician payment models, access to care, and quality of care are all being closely examined. There is no question about it: the system is being redesigned. What changes are ahead?

One concept—the medical home—seems to be gaining traction. You may have read about this healthcare delivery concept and it's possible that your own health care provider's practice may be transforming to such a model.

The medical home model's focus is threefold:

1. Efficient and timely treatment of populations, (i.e. individuals with diabetes, congestive heart failure, COPD; and other chronic illnesses; individuals over 65;

individuals with multiple complex health care needs, and other categories);

2. Improving the patient experience by focusing more on an individual patient's values, desires and expectations of treatment;
3. Reducing costs by using technology to improve communication between specialists, labs, imaging centers, pharmacies and the patient.

Some insurance companies and provider offices are developing and implementing processes designed to focus care plans around a patient's individual choices. For example, during your visit you may be asked to describe personal likes, dislikes and values, and expectations of your treatment plan. Your desires are then used to create an individualized care plan with the goal of educating you to better manage your health between visits.

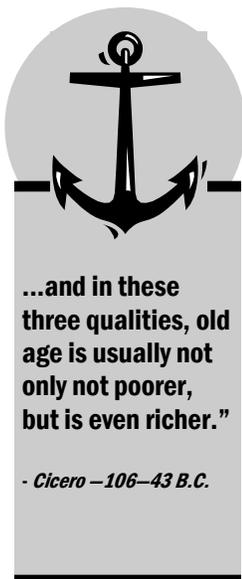
Many offices are establishing the "post-visit phone call" to ask about

how a prescribed treatment is working and how you are feeling after a change in your treatment plan or a hospitalization. You will be encouraged to call your provider office quickly with new or worsening symptoms.

In the medical home, there is an emphasis on prevention and maintaining optimum health, under your personal provider's guidance, with your input. There is more emphasis on "team", with each patient considered to be an important participant in his or her own care.

How effectively these measures will decrease cost is not yet known. But, it is expected that the medical home and other similar models of change will stabilize health care, decrease costs, and improve quality of care and patient satisfaction.

Carol Ann Moseley, M.S.N., R.N. is a member of the Elder Law Practice staff who works on special projects. She was an Elder Care Coordinator at Elder Law Practice from 2002—2011.~



...and in these three qualities, old age is usually not only not poorer, but is even richer."

- Cicero -106-43 B.C.

Retain VA Pension Eligibility

If you or your loved one receive VA pension benefits, don't forget that ongoing eligibility for pension benefits is based on income, net worth and out-of-pocket medically-related expenses.

For pension benefits to continue, eligibility criteria must continue to be met. Until last year (2013), VA required annual Eligibility Verification Forms (EVRs) to be completed and returned to VA by April 1. As far as we know, EVRs will not be required for 2014, and it is unknown if VA will reinstate the requirement in the future. Family members who have been appointed as Fiduciary Agent for VA purposes should be aware that completion of financial accounting forms may be requested by VA from

time to time.

VA claimants are also subject to random audits and other sporadic Fiduciary Accountings. It is important to maintain good records which document on-going income, net worth and out-of-pocket medical expenses. Completion of the VA forms usually involves reporting information for the past year, and projecting information for the current year.

Current Elder Law Practice clients who have moved or have experienced a significant change to income, net worth or medical expenses are encouraged to call the office so staff members can determine if VA should be notified. In the meantime, remember to maintain good records in the event you are asked to provide information to substantiate current VA pension benefits.~

Client Input Wanted

If you are a Life Care Plan client, Elder Law Practice wants to know what you think about the Elder Care Training Modules, informative workshops on a variety of topics including Trusts, Medicare, Medicaid, Care Advocacy, Care Transitions and Alzheimer's Disease.

All Life Care Planning clients are invited to participate either online at www.surveymonkey.com/s/HMY79G8 or by completing the survey included in this issue of *The Anchor*. Fax, mail or drop off completed surveys at the Elder Law Practice office before November 15, 2013.~

When You Are Old



When you are old and gray
and full of sleep,

And nodding by the fire,
take down this book,

And slowly read, and dream
of the soft look

Your eyes had once, and of
their shadows deep;

How many loved your moments
of glad grace,

And loved your beauty with
love false or true;

But one man loved the pilgrim
soul in you,

And loved the sorrows of
your changing face.

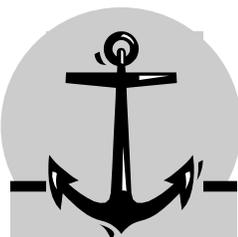
And bending down beside
the glowing bars

Murmur, a little sadly, how
love fled

And paced upon the mountains
overhead

And his face amid a crowd
of stars.

-- *William Butler Yeats*



**"Anyone who stops
learning is old,
whether at twenty
or eighty..."**

Takacs Tidbits

Did you know that Tim Takacs is a published author with several books to his credit? His first book, *The City by the Lake, A History of Hendersonville, Tennessee 1780 - 1969*, was published in 1992.

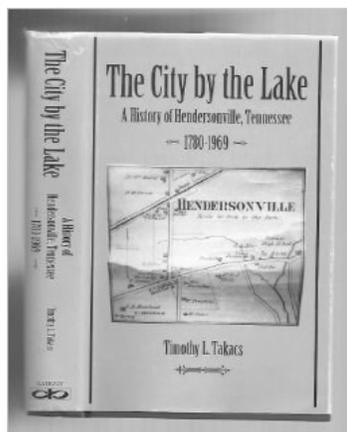
The book traces the city's history from the days of the Long Hunters before America's war for independence to the slow rise of the sleepy rural village to the population explosion in the 1950s and 1960s, when Hendersonville became an urban town.

Tim started writing *The City by the Lake* in 1988 after realizing that no one had produced a scholarly work about Hendersonville's past. "When I start-

ed the project, I thought I would be writing a political history because I was interested in how city government had evolved over time," says Tim. "That's not the story I ended up writing."

Devoting two years to research and another year and a half to writing, Tim delivered a manuscript to Gateway Press and the book was available for sale in September 1992. Everyone welcomed the book as an important con-

tribution to Hendersonville's historical legacy.



After the book was published, Tim participated in many book signings and spoke to dozens of local groups. An avid hiker, Tim also led walks around the city to

point out historical sites mentioned in the book. A local author who assisted Tim with the project wrote a sequel in 1999.

Even today, 21 years after the book was published, Tim still receives invitations to talk about the book to local groups and clubs.~



...Anyone who keeps learning stays young. The greatest thing in life is to keep your mind young."

- Henry Ford

Helpful Tools

Alzheimer's Quick Tips Now Available

A new series of Alzheimer's Caregiving tip sheets offer brief, reliable and easy-to-understand information that can help caregivers of people at any stage of the disease. Read, download, or print the tip sheets at www.nia.nih.gov/alzheimers/topics/caregiving.

Coffee Connections

Join other spouses of Elder Law Practice clients on the first Thursday of every other month for educational gatherings. For more information, call the office at (615) 824-2571.

Elder Care Training Modules

These informative workshops are open to all Life

Care Plan clients and their families. Each session includes a brief presentation by staff members followed by audience Q&A. Upcoming topics include care transitions, caregiving and Alzheimer's disease. Workshops usually start at 3:30 p.m. and are held at locations in the Hendersonville area. Invitations are sent prior to each workshop. Pre-registration is required.~



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ADDRESS SERVICE REQUESTED

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The Anchor is a quarterly newsletter designed to

enhance the service we provide to our clients. We

hope you enjoy the publication and welcome your

feedback.

Elder Law is a unique specialty of law intended to

serve the needs of the elderly, disabled, and their

families. The costs of utilizing such services are

usually offset by the financial benefits gained as

well as peace of mind.

Some clients who seek our services might feel like

they are being tossed in a storm. Forces beyond

one's control can catch a family off guard and

easily drift them into a crisis situation. With

professional assistance, including careful analysis

and strategic planning, costly mistakes can be

avoided while enhancing the quality of life for

those involved.

While the Elder Law Practice of Timothy L.

Takacs cannot stop the storm, we can provide the

necessary anchor to help steady families during

their season of turmoil.~

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