



The Anchor

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

Spring 2014

Issue 50

Will There Be Enough Caregivers?

AARP predicts shortage by 2050

With 10,000 baby boomers turning 65 each day, the senior population is skyrocketing. Who will care for these seniors? A new report from the AARP is a wake-up call to prepare for a future that looks quite different from today's elder care scenario.

Today, most senior care is provided by family members and friends. According to the American Medical Association, family caregivers provide 80 percent of elder care, a service valued at \$450 billion. Will this scenario continue to be the norm? No, says a recent demographic projection by the AARP.

"The Aging of the Baby Boom and the Growing Care Gap," released in August by

the AARP Public Policy Institute, offers some sobering statistics. As the number of people over the age of 80 increases in the next 20 years, the number of people in the primary caregiving years will remain flat. Today, the relatively smaller group of people age 65 and older is receiving care from the very large baby boomer population. Today's average senior has an average pool of seven people who can help.

But as the boomers themselves begin to need care, the balance will shift alarmingly. By 2050, the caregiver support ratio, which was 7.2 in 2010 when boomers were in their peak caregiving years, is projected to drop to 2.9 when boomers reach their eighties.

Demographic realities add even more complexity to the situation. Many children of boomers are having children later in life. Demanding careers make it difficult to take off time to care for elderly relatives.

Women are more likely to work outside the home. Many live far away from their elderly parents.

Yet more than two-thirds of Americans believe they will be able to rely on their families to meet their needs when they need long-term care. But the reality is likely to be much different.

Searching for Solutions
This year, the new Commission on Long-Term Care was directed by Congress to develop recommendations for the

Family caregivers provide 80 percent of elder care, services valued at \$450 billion.

Coming Events

April 25

Debra King presents caregiver education to Labor of Love Support Group. 12 pm. St. Claire Senior Citizens Center, Murfreesboro, TN. Open to the public. (615) 848-2550.

May 1

Coffee Connections for Life Care Plan clients with a spouse in a long-term care facility. 2 p.m. Call for location. (615) 824-2571.

May 1

For the Love of George Cocktail Party & Concert for Alzheimer's Awareness. 6:30 p.m. Sambuca, Nashville, TN (866) 232-8484.

May 8

Barbara Boone McGinnis presents Survival Tips for Seniors. 2 p.m. Maybelle Carter Retirement Community, Madison, TN. Open to the public. (615) 292-4938.

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.

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Questions & Answers

Q *My 86 year-old mother recently got approved for Medicaid/TennCare/CHOICES. She received a TennCare Prescription card. Is that what I give to the pharmacy?*

A No. The TennCare Pharmacy card is erroneously sent out before TennCare's system is updated showing that your mother also has Medicare. When a person is eligible for both Medicare and Medicaid, the law states that prescription coverage must be

through Medicare. If your mom is not already in a Medicare Part D plan, she will automatically be assigned to one by Medicare, unless she has retiree-sponsored drug coverage.

Q *What is "Extra Help?"*

A "Extra Help" is a low income subsidy that helps pay for Medicare prescription cost-shares. People who have both Medicare and Medicaid automatically receive the highest level of "Extra Help." If a prescription is

covered, the "Extra Help" recipient should have a ZERO balance. "Extra Help" also pays the Medicare Part D premium (up to a standard amount).

Q *If my mother is a member of a Medicare Advantage Plan, will she still get the "extra help" as long as she is in Medicaid?*

A Yes. The "Extra Help" applies as long as the person is a member of a Medicare Part D plan, regardless of whether the Part D coverage is through a Medicare Advantage Plan or a stand-alone plan.~



"The great thing about getting older ...

Will There Be Enough Caregivers?

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establishment, implementation and financing of an effective system of elder care support. This bipartisan commission has been hearing testimony from an array of leaders in the field and is in the process of presenting a comprehensive report.

Families can prepare by asking the following questions:

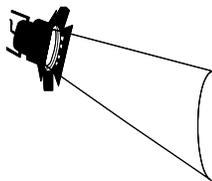
- ♥ Are there resources available to pay for care, either in the home or in a long-term care facility? Would long-term care

insurance be a good choice? What public benefits are available to pay for care?

- ♥ Will your community be a good place in which to age? Are there medical providers, senior centers, meal programs and community transportation options? Are there housing choices that will work if additional care is needed?
- ♥ Will your home be a good fit as needs change? Many people decide to downsize or

move to a retirement community once they retire, but many others would prefer to stay in their home, near familiar friends and services. How might home modifications make it possible for you or your loved ones to age in familiar surroundings?

Most older Americans state that they would prefer to stay at home rather than in a nursing home or assisted living facility. To make this a reality for yourself or an elderly loved one, it's best to start asking questions now.~



GUEST COLUMN

The Delta Doctrine for Caregivers

While flying Delta Airlines one day, I discovered that flight attendants state the best advice for caregivers: “In the unlikely event of the loss of cabin pressure, oxygen masks will drop from the ceiling. Securely place your mask on first, before helping anyone next to you who may need assistance.”

That small directive, what I call “The Delta Doctrine,” contains wisdom for so many life circumstances—but particularly caregivers. Compassion and love often mistakenly lead caregivers to hold their breath—while trying to help someone else, but it is only a matter of time before they find themselves gasping for air.

Those who “push the wheelchair” serve as the critical team player for a suffering patient. Sadly, few know how to create a sustainable care structure for themselves. Simply getting sleep and eating a good diet is not enough. Caregivers must remain healthy physically, financially, emotionally, professionally, and spiritual-

ly—but that is impossible to do without reaching for the mask first.

On a plane, one must simply reach for the mask dangling from the cabin ceiling. For caregivers, however, reaching for help looks quite different. Most of the conflicts with caregiving involve some sort of relationship dynamic. If the patient is bleeding or injured, then the crisis is medical which requires triage. Caregiving scenarios that strain the bonds of friends, family, and marriage could benefit from “emotional triage.” Just as paramedics train to care for an agitated patient in a medical emergency, caregivers can learn a few tips to protect their own safety during the myriad of caregiving difficulties that can erupt on a daily basis. In moments of great anxiety, the “3 W’s” often help.

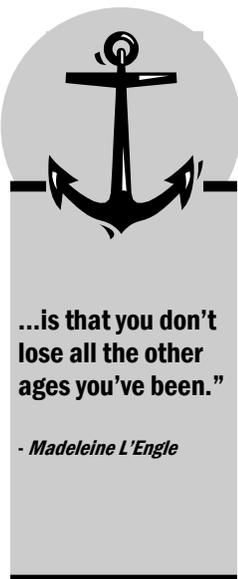
♥ **Wait.** Regardless if the culprit is dementia, drugs, or just your loved one having a bad day, all types of “emotional tug-of-wars” seem to be happening while caregiving. Simply wait before responding.

Breathe slowly until you feel yourself growing calmer.

- ♥ **Water.** From high blood pressure to fatigue, water helps a myriad of issues. A tanked-up brain functions better. Drink to think!
- ♥ **Walk.** When things are bouncing off the walls, take a few moments to walk off the tension.

“Put your mask on first” is the most responsible and caring step in your efforts to help others. In doing so, the patient gets a healthier, confident, stronger, and more “self-controlled” caregiver—who can provide leadership while offering love.

Author/Speaker/Radio Host/ Caregiver Authority Peter W. Rosenberger draws upon his vast experience in caring for his wife for 27 years through her now 78 operations, , 60+ doctors, 12 hospitals, and \$9 million in medical costs. Visit www.caregiverswithhope.com.~



...is that you don't lose all the other ages you've been."

- Madeleine L'Engle

How Many CHOICES Are There?

Editor's Note: This is the second of a two-part series about TennCare CHOICES in Long-Term Care.

In Tennessee, the state Medicaid program is known as TennCare. Broken down more specifically for those needing services in a nursing home, assisted living, or home setting, the program is called TennCare CHOICES in Long-Term Care. Under the umbrella of CHOICES, there are three groups an applicant can qualify for: Group 1, Group 2, and Group 3.

How does Group 2 differ from Group 1?

While Group 2 has the same pre-admission evaluation (PAE) standards and financial qualification standards, the location in which an application can receive benefits is different. Group 2 participants can receive their benefits in the home or in an assisted living facility that has chosen to participate in the CHOICES program. However, the services for Group 2 must be cost neutral when compared to what the CHOICES program would pay for the same applicant that's approved for Group 1. In

the home setting, an applicant can receive up to 27 hours per week in services.

Applicants approved in the nursing home are often re-assessed to see if they would like to receive their care in one of the alternative settings that Group 2 allows. Group 2 is the reason that the program is called CHOICES. The central idea of the program is that an applicant for benefits can choose where he or she wishes to receive care.

Like Group 1, CHOICES Group 2 has some cost-sharing associated with approval. In 2014 for Group 2, all income for a single applicant above 300 percent of the poverty level (\$2,163) would be owed to the CHOICES program for services rendered. Specifically, the managed care organization (MCO) that the application is assigned to is responsible for the collection of liability owed. This is another way in which Group 2 differs from Group 1. In Group 2, the applicant is allowed to keep a substantial part of their income to pay for normal monthly household bills.

Why is Group 3 called the "at risk" group?

When the medical qualification for CHOICES changed in July 2012, state of Tennessee officials understood that many people would no longer qualify for the program under the new

standards. Because of this, state officials had to develop a qualification group that encompassed those on the edge of qualification for Group 1 or 2. That group became known as Group 3 or the "at risk" group. Those approved under Group 3 can receive up to \$15,000 per year in services. The \$15,000 per year must be spread out equally over 12 months. The amount of services this provides is at the discretion of the MCO based on the cost of services. The Group 3 program was scheduled to end as of December 31, 2013, but legislators recently made the decision to extend the program through June 30, 2015.

Elder Law Practice staff members are available to answer client questions about TennCare CHOICES.~



“Beautiful young people are accidents of nature...”

Takacs Tidbits

Elder Care Coordinator Patsy Gentry has closed her final case file.

After eight years of service at Elder Law Practice of Timothy L. Takacs, Patsy retired on December 13, 2013 to begin the next chapter of her life. Patsy was one of the original pioneers who helped define the role of elder care coordinator in a Life Care Planning Law Firm. Whether Patsy was networking with referral sources, helping client families through a crisis or

presenting a workshop, she was a consummate professional known for her skill, her compassion and her sense of humor. With more than 30 years of experience as a Registered Nurse, Patsy brought incredible depth to her role. She showed us how a conventional nursing background could be repurposed to help people respond to the challenges created by long life and disability.

Prior to joining the Elder Law Practice in 2005,

Patsy worked for the Upper Cumberland Area Agency on Aging where she served as Manager for Home and Community Based Services. In that capacity, she contributed to the development and initial implementation of the statewide Medicaid Waiver for Home and Community Based Services. Patsy was beloved by client families, respected by her peers and valued for her expertise. Please join us in wishing Patsy the best.~

News Briefs

Quality Data Added to Physician Compare Website

Quality measures have been added to Physician Compare, a website that helps consumers search for information about physicians and other health care professionals. View Physician Compare at www.medicare.gov/physiciancompare.

View Medicare Records Online

Medicare's free, secure online service allows you to access personalized information about your Medicare benefits and services. After you sign in,

you can fill out the Initial Enrollment Questionnaire (IEQ), view claims information, get quality information about your providers, and more.

Now Available:

2014 Legal Handbook
Senior citizens in Tennessee now have a comprehensive new legal resource at their fingertips. *Legal Handbook for Tennessee Seniors* aims to meet the needs of the growing and frequently under-served elderly population. Available for free download at [\[handbook-for-tennessee-seniors\]\(http://www.tn-elderlaw.com\).](http://www.tba.org/programs/the-2014-legal-</p>
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Charles Vaughn Receives Long-Overdue Medal

Elder Law Practice staff members helped the family of client Charles Vaughn track down a military award. Read the heart-warming story in the April 23 blog on www.tn-elderlaw.com.

May is Elder Law Month

Celebrate by inviting a member of the Elder Law Practice staff to make a presentation on a timely topic to your civic, community or professional group.~



...but beautiful old people are works of art."

- Eleanor Roosevelt



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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.~

Information contained herein may contain general explanations of laws. It should not be considered as legal advice. Please seek counsel from an attorney regarding legal planning.
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