

"KNOWLEDGE TO HELP, EMPATHY TO CARE"

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**DONALD**  
LAW OFFICE, LLC  
WILLS, ESTATES, VA & ELDER LAW

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**August Update:**

How is it possible for summer to be almost over?! Time seems to almost get the best of us, so please make sure you take the time and ask yourself: What can I do this month, this week, or right now to move toward my goal? Let us help you move toward that goal of peace of mind. Call or email us today to set up a **FREE** initial consultation!

Check out our **BRAND NEW** and **IMPROVED** website at: [www.donaldlawoffice.com](http://www.donaldlawoffice.com)

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## BIG CHANGES IN MEDICAID!

Effective August 1, 2016, Ohio is switching to what is known as a 1634(B) State. As such, the Ohio Department of Medicaid (ODM) instituted a new rule that requires anyone receiving more than \$2199/month in gross income to use a Qualified Income Trust (QIT). Some of you may have heard of this referred to as not being required to "spend down" anymore. **DON'T BE FOOLED!!**

The "spend down" being referred to is the monthly income spend down, not the asset spend down. The asset rules remain the same. The new rule only pertains to income and here is how the new rule works.

If an individual Medicaid applicant or recipient receives more than \$2199/month in

gross income, ODM will deny the applicant or recipient Medicaid benefits until the individual creates a QIT. The QIT is a VERY specific trust that is governed by the Ohio Code and is only used to receive income in excess of \$2199 each month. So for example, if an individual has \$3000 in social security and a pension each month, ODM will require the individual to place enough income in the QIT to lower him or her below \$2199.

The income then placed in the QIT can only be paid out under four very specific circumstances:

1. To pay the month's personal needs allowance of \$50.
2. To pay the monthly spousal or dependent maintenance allowance as applicable.

3. To pay for the cost of care for the individual.

4. To pay bank or maintenance fees for the QIT up to \$15/month.

The stated purpose of the rule change is to allow for quicker validation of Medicaid claims for those individuals applying for Social Security Disability Income since Social Security uses the same \$2199/month income standard.

Confused yet?

We can see why. The good news is that you have our office in your corner and we are fully aware of how this rule change is going to impact our clients. The bad news, things just got a whole lot more difficult for Medicaid recipients in the State of Ohio.

## Upcoming Workshops

### Seven Threats to Your Family Security – Estate Planning Workshop

**Ohio Glass Museum**  
124 W. Main Street  
Lancaster, OH 43130

**\*\* TWO DATES \*\***

**Thursday, August 11, 2016**

7:00pm – 9:00pm

**Saturday, August 13, 2016**

10:00am – 12:00pm

Avoid Losing Your Assets!  
Stay Home with  
Medicaid & VA Benefits  
and Keep it Simple!

Learn about how to:

- \* maintain control of your assets
- \* plan for the high costs of long-term care
- \* protect and preserve YOUR life savings
- \* structure legal ownership and how it effects estate planning

Attend a workshop and receive a FREE no obligation private consultation with one of our attorneys to answer any questions about setting up your estate plan.

**Call 740-400-4194 or email [info@donaldlawoffice.com](mailto:info@donaldlawoffice.com) to register today!**



## Office Happenings

As many of you know by now, attorney Nicole Hawks is no longer with our office. A few weeks ago, Nicole approached me and told me that she and her husband decided that they needed to be closer to his family in Ashland and that she had taken a position with a firm that would allow them to move up north.

Needless to say, we were all caught by surprise at her sudden departure but one thing I learned over my

many years of leadership is that you can't begrudge anyone who is making a decision in the best interest of his or her family. While Nicole will be sorely missed, we all, as I am sure you do as well, wish her nothing but the best and success in her future.

One of the other things I have learned in my many years of experience as a leader is that you always have to have a backup plan and being the owner

of a law firm is no exception.

As you may remember, in early June we hired Keith Melvin to be our Benefits Coordinator. This is the same role that Nicole started out at in our office; the plan is to lead Keith along that same path as he waits for his bar exam results and then we will start having Keith meet with clients, as well.

The future of DLO has never looked brighter!

### Quote of the Month:

"My philosophy is that not only are you responsible for your life, but doing the best at this moment puts you in the best place for the next moment."

– Oprah Winfrey



## Staff Spotlight

This month's Staff Spotlight will be on Bre's vacation she took last month. Bre and her two children took their annual trip down to Missouri and Arkansas to visit family.

Bre was born in southern Missouri near Lake Pomme de Terre and always enjoys returning to the beautiful

landscape and friendly, country atmosphere. While they were down there, Bre and her kids went to Silver Dollar City in Branson with Bre's dad, her two sisters, and her sister's three children.

Bre's grandparents had taken her to Silver Dollar City every year as a child

and it meant a lot to Bre to be able to share these experiences with her own children. They all had a blast! The remainder of their time down there was spent at family cookouts, shooting off fireworks, playing games with cousins, and just spending some good, quality time with family.

At Donald Law Office, we guide you through your entire estate planning and long-term care journey!

**Our Mission is to provide peace of mind to you and your loved ones.**



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## Madi/Matt's Message

Well I finished my estate plan and I have to say that it wasn't nearly as bad as I thought it was going to be. Jen was super nice and friendly and took a ton of time explaining all of the documents to me.

When I came in Jen and I sat down at the conference table and she went through my will with me and showed me in the will where all of the choices I had made were listed. Then Jen had Bre come in to be a witness to my signing of my will. It takes two witnesses to make sure no one was pressuring me to make my will.

After that we went over my power of attorney (POA). The POA had a ton of things in it

and at first I didn't understand what all of it meant. But Jen was patient and took the time to explain to me what each of the powers meant. Basically the POA allows someone to make my legal and financial decisions for me if I can't.

The next thing was the Healthcare Power of Attorney. This was really important because if something happened that I couldn't make health care decisions on my own because I was sick or injured, I had to designate someone who could make my healthcare decisions for me. Some people have religious preferences that they can mention in a box for specific instructions like no dialysis or

something like that.

The next document was a living will which is different than a regular will. The living will is where I designated end of life decisions. Just like the Healthcare Power of Attorney, it has a special block that you can write in specific instructions if you want to be kept on life support for 10 days or something like that.

We also did a HIPPA release form so the person I designated can have access to my medical records.

All in all it wasn't nearly as bad as I expected and I sure am glad to have it done!  
- Madison Donald