

"KNOWLEDGE TO HELP, EMPATHY TO CARE"

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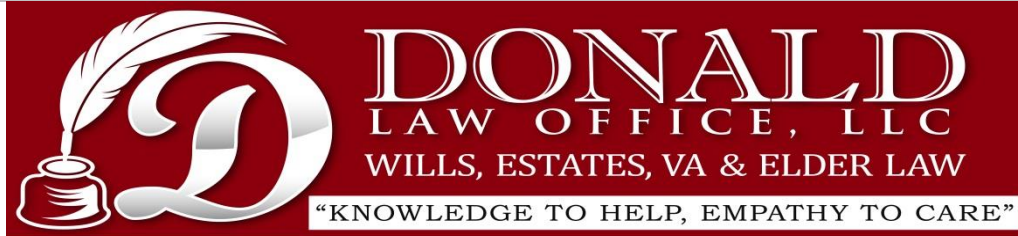
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September Update:

"Planning is bringing the future into the present so that you can do something about it now." – Alan Lakein

Let us help you bring your future into the present giving you that peace of mind. Call or email us today to set up an initial consultation!

Check out our BRAND NEW and IMPROVED website at:
www.donaldlawoffice.com

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Power of Attorneys

A power of attorney is a very important legal document that we believe everyone should have. This document dictates who you would want to make legal and financial decisions on your behalf. If you were unable to make your own decisions and you did not have this document, your family would likely have to go through the lengthy and tiresome process of being appointed as your legal guardian through the probate court.

Often times, people simply look to the internet for a power of attorney document. They print it out, execute it in front of a notary public, and think that they have all of their bases

covered. However, these generic documents likely will not allow your family members to do everything that they may need to do down the road.

In 2012, Ohio adopted the Uniform Power of Attorney Act, which requires your power of attorney document to contain specific language in order for your power of attorney agent to carry out certain acts on your behalf. For example, unless your document specifically states that your agent can create a trust, make a gift, or change a beneficiary designation, your power of attorney agent will not be able to carry out those actions on your behalf. This can cause issues years

after your power of attorney document was executed if you no longer have the legal capacity to execute a new document that complies with the law.

Much too often, we meet with family members looking to help their parents in a crisis situation, and unfortunately we are unable to help due to the power of attorney not complying with the standards of the Ohio Revised Code. If you have questions about the status of your current power of attorney, we highly suggest that you sit down with a knowledgeable elder law attorney to ensure that your power of attorney documents are up to date and compliant with the current Ohio laws.

New Rules for Qualified Income Trusts

As of August 1, the Ohio Department of Medicaid (ODM) revised its policies regarding patient liability for Medicaid coverage of long-term care services. Prior to the changes, individuals with gross income over the income standard for Medicaid covered long-term care services, also known as the Special Income Limit (SIL), utilized a "spend down" method to bring their income under the SIL in order to qualify for Medicaid coverage of long-term care services.

Under the new Benefit system, the Medicaid "spend down" program has been eliminated. Therefore, applicants must either have

a gross income below \$2199 or establish a Qualified Income Trust (QIT). A QIT or "Miller Trust" is established to reduce the applicant's countable income for Medicaid eligibility. The income placed in the QIT is not counted in determining the individual's eligibility for Medicaid assistance allowing them to qualify for Medicaid; however that income plus any interest generated will be considered in establishing patient liability.

Sound complicated? It can be, but rest assured, our attorneys and staff are well informed and educated on the new rules and requirements!

Keep an eye out for upcoming workshops on our website at www.donaldlawoffice.com/workshops/ or next month's newsletter!

Call 740-400-4194 or email info@donaldlawoffice.com to register today!



Office Happenings

This past month we kicked off a new program that you might have heard of - literally! - Donald Law Office is now on the radio! Every other Monday, Matt is a guest speaker on WLOH's morning radio show with Tina Thompson. The spot is called Medicaid Monday with Matt!

The first show aired on Monday, August 8, 2016, during which Matt briefly touched on the Three Big Lies of Medicaid Qualification; #1. If you need a nursing home, Medicaid will take

your house; #2. If you transfer assets you have to wait 60 months to qualify; #3. You have to give your assets away to protect them. As a friend of Donald Law Office you already know that these are just myths and that there is a better way!

The second show aired on Monday, August 22, 2016 and was focused on the first of the Three Big Lies, #1. If you need a nursing home, Medicaid will take your house. During this episode Matt touched on the

treatment of the house by Medicaid when someone is receiving Medicaid assistance and the treatment of the house after someone passes who was receiving Medicaid.

Be sure to check out our next episode on Monday, September 5, 2016 on WLOH at 104.5 FM, 99.3 FM, or 1320 AM. If you miss Matt live on the radio, we now have a Podcasts page on our website under the Resources tab where we will be uploading each show so you can tune in at any time!

Staff Spotlight

This month's staff spotlight will be on our Marketing & Operations Manager, Kristy's summer of long weekend trips. It's been a crazy busy but fun summer for her visiting Chicago, Cincinnati, Sandusky, a cabin in Hocking Hills and later this month, Cleveland for a bachelorette party.

Chicago included a day at the beach, a night out in the city followed by a day out in the suburbs celebrating her friends' up and coming addition, baby Piper! Cincinnati was a girls' trip

with a Reds baseball game and then out afterwards for dinner, drinks and dancing!

Each year a big group of friends get together and rent a cabin for a long weekend in Hocking Hills. This was easily the biggest and best cabin that they had rented to date! It had a hot tub, a swimming pool, a huge patio/deck area, a fire pit and the cabin was huge! Everyone kept busy the entire weekend relaxing, swimming, exploring the woods, playing games & most importantly,

spending quality time together with great friends!

The trip to Sandusky was to stay at a friend's lake house on Lake Erie where Kristy and her friends relaxed on the beach, went swimming and jet skiing, grilled out and had a bonfire later in the night.

Kristy has had a very fun-filled summer with her amazing friends & family and is VERY appreciative of the support of Matt and her co-workers here at DLO!

Quote of the Month:

"In the end, it's not the years in your life that count. It's the life in your years."

– Abraham Lincoln



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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Matt's Message

Don't wait. If I can get one message across to all of you to share with your friends and families, it's "Don't wait." Don't wait until something happens to reach out to our office.

This month, I am going to give you a prime example of what I mean. A brother and sister came to see me. They said that their mother had passed away and they were looking for a copy of her will. They said they had found an appointment card with our name on it from some time ago and they were hoping that we might have a copy of her will. When I had a staff member check, she informed me that the mother did engage our office after her initial personal consultation and had scheduled a design

meeting with us as well. However, the mother did not keep her design meeting appointment and had told us that she would contact us "soon" to make a new appointment. Despite our numerous follow-up attempts the mother never returned to our office to complete her estate. She told us the primary reason for the delay was that she just wasn't ready to "get into" everything that needed to be discussed.

In the end, the mother died intestate which meant that each child would receive 1/3 of everything that their mother had owned after it all passed through probate. But that wasn't the worst part of this story.

As it turns out, one of her children, a second son, had a severe alcohol and drug addiction issue (as explained to us by the brother and sister that came to visit). Each child received a bit more than \$125,000 including the son with the addiction problem. One of the hardest things I have had to do was advise the administrator that she had to write a check to her brother for \$125,000 when she "knew" he was going to spend it on drugs. Sadly, several weeks later we read an article that said the brother had died of a drug overdose.

So my message this month is please don't wait. Don't put off until tomorrow what needs done today.