

Attorney Timothy P. Crawford, CPA, CELA*, CAP**
wanted to share this information with you.

**The Top Seven Mistakes People Make in Planning to get Government
Benefits to Pay for Nursing Home Care**

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- 1. Thinking it's too late to plan.** It's almost never too late to take planning steps, even after a senior has moved to a nursing home.
- 2. Giving away assets too early.** First, it's your money (or your house). Make sure you take care of yourself first. Don't put your security at risk by putting all of your assets into the hands of your children. Gifts can cause tax and Medicaid problems as well. These need to be addressed as part of a complete plan.
- 3. Ignoring important safe harbors created by Congress.** Certain transfers are allowable without jeopardizing Medicaid eligibility. These include transfers to disabled children, caretaker children, certain siblings and into trust for anyone who is disabled and under age 65; a transfer to a "pay-back" trust if under age 65; and a transfer to a pooled disability trust at any age.
- 4. Failing to take advantage of protections for the spouse of a nursing home resident.** These protections include the purchase of an immediate annuity or petitioning for an increased community spouse resource allowance.
- 5. Applying for Medicaid too late.** This can mean the loss of many months of benefits.
- 6. Confusion about the difference between *lifetime liens on property and estate recovery*.** There are a number of exceptions to lifetime liens on

property, but for estate recovery there is only the protection of having a surviving spouse to prevent repayment of the benefits received or to do planning in advance.

- 7. Not getting expert help.** This is a complicated field that most people deal with only once in their lives. Tens of thousands of dollars are at stake. It's penny wise and pound foolish not to consult with a Board Certified Elder Law Attorney like Attorney Timothy P. Crawford. He helps clients properly protect their home and other assets. Not all Elder Law Attorneys are board certified. In Wisconsin, only 7 Attorneys, including Timothy P. Crawford, are board certified.

**“Those Who Plan Ahead Win.
Those Who Don't Plan Ahead Lose.”**

This article is not intended as legal advice. It is basic information. I would recommend that you call Attorney Timothy P. Crawford for a free conference to discuss your situation in more detail. Attorney Timothy P. Crawford can be reached toll-free at 1-888-634-6675. When you call in, please mention the fact that you have read this article.

*Attorney Timothy P. Crawford is a Board Certified Elder Law Attorney(CELA). He has been Board Certified by the National Elder Law Foundation which has been approved as the Sole Certifying Organization for Elder Law Attorneys by the American Bar Association.

**Timothy P. Crawford was invited to join the Council of Advanced Practitioners of the National Academy of Elder Law Attorneys (NAELA) in August of 2005. The Council of Advanced Practitioners (CAP) is a small group of premier elder law attorneys, all of whom have been members of NAELA for at least 10 years, are certified as elder law attorneys by the National Elder Law Foundation, and are AV rated the top in the nation by Martindale Hubbell. A Service that provides an independent rating of the quality of attorneys.

**GREATER MILWAUKEE AREA OFFICES IN BROOKFIELD,
GLENDALE, MILWAUKEE & RACINE**

**“Helping Families in Wisconsin for Over 40 Years to Protect Their Assets
from Nursing Home Care Costs”**

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