TennBarU
CLE FOR TENNESSEE

Elder Law Forum 2014
July 18, 2014
AT&T Building – Nashville, TN

Program Description: This full-day forum offers insights for both the "new to elder law" attorney and those with more experience. Day Two opens with a subject for both beginners and busy elder law practitioners: an in-depth view of medical eligibility for TennCare CHOICES from a leading authority in the state. Learn about the criteria for determining medical acuity scoring and what to do if your client does not "score a 9," with tips and methods for successful appeals. The learning continues with drafting effective powers of attorney and advance directives, and using pooled trusts. Back by popular demand: the panel discussion that puts it all together with case studies for spend-down strategies. And we close the day with the latest in estate recovery. The Elder Law Section will have a luncheon meeting and we encourage members of the section to join us.

Program Producer: **Amelia Crotwell,** *Elder Law of East Tennessee*
Pam Wright*, West Tennessee Legal Services*
Deborah Brooks*, The Law Office of Deborah K. Brooks*

<u>Agenda</u> Total Credits: 4 General, 2 Dual

8:00 – 8:30 a.m.	**Registration/Welcome**
8:30 – 9:30 a.m.	**Managed Care under CHOICES –** **Medical Eligibility, PAEs and the PAE Appeal Process** *Groups 1, 2, and 3: what does each group cover and who qualifies? Get the basics of medical qualification; discussion of PASSR screenings, PAE scoring and a methodology for successful appeals.* **Monica Franklin**, *Elder Law Practice of Monica Franklin, LLC*
9:30 – 10:30 a.m.	**Crafting the Robust Elder Law Financial POA and Ethics** *All the bells and whistles not typically found in the standard POA. Discussion of ethics and springing vs. immediate; extraordinary powers; the limitations of incorporation of powers by reference; digital assets and online accounts;*

	gifting; funding irrevocable trusts; accountings and bonds; self-dealing; and recent cases. **Travenia Holden,** *Holden Law Office*
10:30 – 10:45 a.m.	**BREAK**
10:45 – 11:45 a.m.	**Health Care Directives and Ethics** *What are the options for HC POAs that you are not offering your clients? Understanding the Advance Care Plan, Living Will, Mental Health POA, HIPPAs, examples from other states or crafting a HCPOA for specific diagnoses (e.g. Washington's Compassion and Choices POA for Alzheimer's Dementia); ethical issues and end of life decisions.* **Pam Wright,** *West Tennessee Legal Services*
11:45 – 12:45 p.m.	(***Lunch on your own***) ***TBA Elder Law Section Meeting***
12:45 – 1:45 p.m.	**Using Pooled Trusts in Your Practice** *What is a pooled trust? Who is appropriate for? What questions should you ask to choose the best one for your client's situation? An overview of the formation requirements and nuances – fees, investments, distributions in life and at death.* **Travenia Holden,** *Holden Law Office*
1:45 – 2:45 p.m.	**Spend Down Strategies** *Case studies demonstrate how to implement the strategies discussed on Day 1. Asset preservation is a creative practice that requires weaving together a number of different alternatives for clients depending on their goals and circumstances.* **Amelia Crotwell**, *Elder Law of East Tennessee* **Bryson Eubanks**, *Elder Law Practice of Timothy L. Takacs* **John Toy**, *Parker, Toy & Associates, PLLC*
2:45 – 3:00 p.m.	**BREAK**
3:00 – 4:00 p.m.	**Estate Recovery Basics and Recent Cases** A summary of the exceptions/limitations to the Estate Recovery rules. **Brooke Givens**, *Elder Law Practice of Monica Franklin, LLC*