

# LITTLEJOHN LAW, LLC

**“BUILD IT, PROTECT IT, AND PRESERVE IT”**

A MONTHLY NEWSLETTER FOR AWESOME CLIENTS LIKE YOU!

March 2017 Volume 2 Issue 10



## IN THIS ISSUE...

- Page 2 Topic of the Month – Medicaid Spend Down checklist
- Page 3 Recipe of the Month – Grilled Curry Chicken

*Our Goal is to Help Everyone Make Great Decisions about their Legal Issues.*

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## SPRING IS IN THE AIR!

It's kind of hard to believe that first day of Spring is March 20, but we've been experiencing wonderful weather for several weeks. Just the other day when I was driving home, I saw a few neighbors outside washing their cars and I saw kids playing outside. Personally, I enjoy the winter months, it gives me plenty of time to gather some ideas for things to do in the summer. But since we have had all this nice weather, Kellee is eager to get outside and to get some projects started.

Hopefully, you'll take advantage of this nice weather and either start planning or getting a few things done.



Thanks to all who participated in the “Love My Wife” Valentines Day giveaway. The winning idea was “Glass Roses” and the idea is to keep giving them another one to Kellee each year for the rest of our lives. Thanks for everyone's help.



Kellee and I had a great Valentines weekend. We went to dinner and ate chocolate covered strawberries.

Be sure to keep an eye out for other special giveaways this year. Congratulations to the Winner!

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*“Success is not the key to happiness. Happiness is the key to success. If you love what you are doing, you will be successful.” – Albert Schweitzer*

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## **Medicaid Spend-Down Checklist – Tip of the Month**

### **TRICKS OF THE TRADE... LEARN WHAT A CASEWORKER KNOWS ABOUT YOUR MEDICAID ELIGIBILITY AND APPLICATION**

There is a great deal of confusion regarding spend-down of assets for Medicaid qualification. For a single person, who can keep only \$2,000 in countable assets, may find him or herself wondering what the money can be spent on without causing Medicaid disqualifications.

Similarly, for married couples, the rules are even more complex. The community spouse (at home spouse) may generally keep roughly one-half of the couple's assets up to a maximum of \$109,560. Depending on their resources, again the couple may have a substantial amount of money, which needs to be spend down before the nursing home spouse qualifies for Medicaid.

That is often where the confusion begins. That's because there is so much misinformation about what kinds of things the money can be spent for. For that reason, we have put together the following checklist to help people better understand the law... and where the money can legally be spent.

For someone who is pursuing Medicaid eligibility, the following are types of spend-down items, in no particular order, which should be considered:

- **Purchase of pre-paid funeral plans.** You should deal with a funeral home knowledgeable in this type of planning.
- **Purchase a new car.** It is perfectly acceptable to purchase a new car. The community spouse may even do this and have the entire purchase come out of the nursing home spouse's spend-down.
- **Make home improvements.** Home improvements are often an excellent use of funds in a Medicaid spend-down. For instance, the community spouse might fix the roof, get a new air conditioning system, new carpeting, new furniture, etc. The intention here is to fix the house up so that, hopefully, no other home repairs will need to be done during the lifetime of either spouse. That is especially important since in many cases, the community spouse will have to spend down one-half of his or her assets and may no longer have the resources necessary for a large lump sum expenditures which may occur later.
- **Payment of nursing home expenses.** Of course, nursing home expenses and other healthcare costs can be made as part of a spend-down.

- **Purchase a new home.** Since the home is an exempt asset, in some instances purchase of a new home makes sense from a Medicaid planning standpoint.
- **Buy household goods or personal effects.** Once again the intention is to have the community spouse get the types of things which are needed to keep the household running without major expenditures down the road.
- **Debt Repayment.** The key here is to make sure that debts are repaid only after the Medicaid snapshot has been established. In other words, it would be disastrous to pay down a large amount of debt *before* there has been a snapshot. Once the snapshot is in force, then the entire debt repayment can count against the assets of the nursing home spouse. If done too soon, the debt repayment would only go one-half against the assets of the nursing home spouse and one-half against the assets of the community spouse.
- **Vacation.** This can be a good idea for the community spouse at a time when there has been a long struggle to keep a loved one at home. The community spouse may be exhausted and a well-deserved vacation would be rejuvenating. Believe it or not, the entire cost of that vacation can come out of the nursing home spouse's spend-down.

These are, of course, not the only appropriate items for a spend-down. There are other expenses, which would also qualify. The main rule to keep in mind is that whatever goods or services are purchased must be done at fair market value. In other words, giving money away or paying outrageous amounts for less than the real value of services can cause Medicaid disqualification.

Also, don't let anyone tell you that anything spent must be done solely for the benefit of the nursing home spouse. On the contrary, virtually anything that benefits the community spouse will also benefit the nursing home spouse. Finally, keep in mind that some of these spend-down strategies will not work as well for a single person qualifying for Medicaid, there are other strategies that can work equally well, no matter whether you are dealing with a single person or a married couple. If you have specific questions about your specific situation, feel free to give us a call.

## RECIPE OF THE MONTH - GRILLED CURRY CHICKEN

- 1 tbsp. curry powder
- ½ tsp. ginger powder
- 1 tsp. freshly ground pepper
- 1 tsp. salt
- 1 tsp. granulated garlic
- ½ tsp. ground cinnamon
- 1 chicken 4-5 lbs. olive oil

Mix together the rub ingredients. Truss the chicken, and brush it with olive oil. Cover chicken all over the rub. Grill over indirect medium heat, 350 F, for approximately 1 hour and 15 minutes or until the thigh reads 165 degrees with an instant read thermometer. **And enjoy! Best over a Grill.**

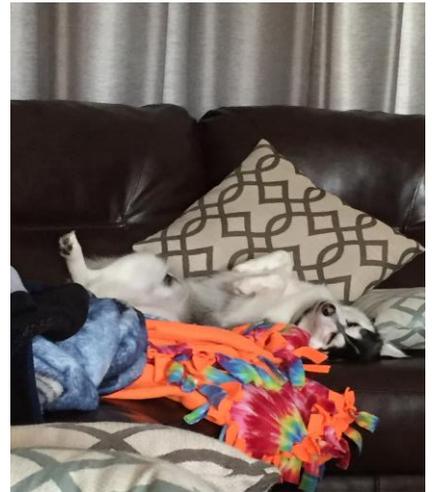


## WHAT'S NEW WITH ME AND MY OWN

This past month was a busy month for us at the firm. Edward was also invited to speak to some of the Students at Steubenville High School for Black History Month. Edward spoke about his journey on becoming a lawyer and his personal story of overcoming obstacles.



Just to hit a few more highlights for February... Edward turned 31 years old. Jeff took another Bar Exam, so here in a few months he'll be licensed in two States. This will help us serve even more clients! David finished his 2<sup>nd</sup> month in office as a county councilman and he has tons of ideas to help make his community better, including business summits and improving the land bank to demolish dilapidated property.



Courage had his first night out of the crate. That's right we finally let him sleep out of his crate at night and he did GREAT! And as you can tell he's making himself right at home!

This month I also wanted to take some time to wish my mom a Happy Birthday. This month she turns 60!

# Happy 60<sup>th</sup> Bday Mom!

## CONTACT INFO & ADMINISTRATIVE ANNOUNCEMENTS

#1 If you would like to learn more about a specific topic of interest feel free submit your request to [office@elittlejohnlaw.com](mailto:office@elittlejohnlaw.com) or send your request in by mail to 352 Main Street, Wintersville, Ohio 43953.

#2 Our promise to you is that while we are working on your case, we don't take inbound phone calls or emails. **Edward takes no inbound unscheduled phone calls, unless it's an emergency.** It makes him much more productive and helps get your case resolved faster. You can always call the office at 740.346.2899 and schedule an in-person or phone appointment, usually within 24-48 hours. This is a lot better than the endless game of "phone tag" played by most businesses today. Remember, too, that email is "quick," but is checked no more than twice a day. Replies are then scheduled into the calendar. So if it's really important, don't email – call the office instead.

#3 Referrals are much appreciated and welcomed. If you know anyone who might benefit from our services, please pass along their name and we'll get our Free Resources out to them immediately. We would be grateful for the opportunity to work with some of your friends, co-workers, colleagues, and associates. And we promise to give them the special care and attention they deserve.

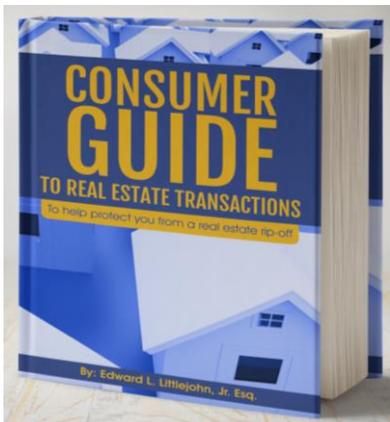
#4 This newsletter is for informational purposes only and no legal advice is intended. Be sure to consult with this law firm if you have a specific question about your situation.

I sincerely hope that you enjoy reading this as much as I enjoyed writing it.

Yours Truly,

*Edward L. Littlejohn, Jr.*

Edward L. Littlejohn, Jr.



## *Inside this Issue ...*

- *Medicaid Spend-down Checklist*
- *Grilled Curry Chicken ... yummy!*
- *And more ...*

Check us out at [www.elittlejohnlaw.com](http://www.elittlejohnlaw.com). If you know anyone who may be in need of legal advice feel free to give them our telephone number or visit our website to get their legal questions answered.

740.346.2899

**Littlejohn Law, LLC**

*Happy Birthday to all the March Birthdays!*

*Enjoy your special day!*

**LITTLEJOHN LAW, LLC**

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