SEPTEMBER 14–15, 2017 | PLYMOUTH

3RD ANNUAL

Elder Law *institute*

Serve the Expanding Needs of Your Clients Confidently

Special Event

Breakfast Roundtable:
Networking and Marketing

Special Add-On Seminar

Completing the Medicaid
Application: A Hands-On Workshop

REGISTER TODAY

www.icle.org/elderlaw
877-229-4350

ICLE
THE INSTITUTE OF CONTINUING LEGAL EDUCATION
The education provider of the State Bar of Michigan
The State Bar of Michigan • The University of Michigan Law School • Wayne State University Law School • University of Detroit Mercy School of Law • Western Michigan University Thomas M. Cooley Law School • Michigan State University College of Law

Serve the Expanding Needs of Your Clients Confidently

Local and national experts give you the tools you need to become successful in this growing practice area. Whether you're fully entrenched in elder law or just exploring, we've got you covered. From government benefits to probate court, you'll discover practical solutions and avoid giving away business. Plus, make the most of your time out of the office with a convenient location and schedule that gives you more hours for what matters most—helping your clients and their families.

Navigate Government Benefits

Benefits are complicated (and constantly changing). We are once again offering a Medicaid Track that covers the essentials—and more. Plus, don't miss our hands-on workshop, *Completing the Medicaid Application*, immediately after the institute.

Examine Housing and Care Options

Weigh the pros and cons of multiple options, from home-based services to assisted-living facilities. Delve into policy, funding, rights, and more.

Enjoy New Interactive Sessions

Go beyond the lecture. Tackle real-life scenarios in one of two sessions: *Financial and Tax Planning* or *Special Needs Solutions*. Walk away with checklists and answers to your most burning questions.

Stay Ahead of the Curve in Uncertain Times

Don't miss our *Caselaw and Statute Update*—back by popular demand. Avoid pitfalls with a fast-paced overview of critical changes on both the state and national level. Get up to date on the evolving proposals that could affect your practice.

Learn from the Best

Health and disability experts, long-term care insurance specialists, financial planners, probate litigators, service providers, and experienced elder law and special needs lawyers give strategies for working with senior clients.

Explore the Modern Family

As family situations evolve, you need more resources than ever. Learn the latest strategies that will ensure you represent your clients well in this increasingly complex area.

Featured Speakers

Jason A. Frank

Frank Frank & Scherr LLC, *Lutherville, MD*

Jason A. Frank, president of the firm, focuses his practice on elder law, special needs, and estate planning. He serves as assistant attorney for the Baltimore County Department of Aging. He co-founded the Elder Law and Disability Rights Section of the Maryland State Bar Association and has twice served as chair.

Laurie S. Frank

Frank Frank & Scherr LLC, *Lutherville, MD*

Before joining the practice Laurie S. Frank was a housing specialist with the Maryland Office on Aging—Housing Division, with a focus on Medicaid issues. She has taught at the University of Maryland University College, the Maryland Institute for Continuing Professional Education of Lawyers, and Towson University.

Alison E. Hirschel

Michigan Elder Justice Initiative, *Lansing*

Alison E. Hirschel is managing lawyer of the project, a legal services advocacy effort that also houses the Michigan Long Term Care Ombudsman Program, the MI Health Link Ombudsman Program, and two local long-term care ombudsman programs. Ms. Hirschel also serves as the elder law specialist at the Michigan Poverty Law Program.

Gregory R. Kish

John A. Scott PC, *Traverse City*

Gregory R. Kish helps families and individuals address the legal, financial, and emotional aspects of aging and assists clients with issues relating to elder law, estate and long-term care planning, probate and trust administration, and real estate law. He has earned the designation of Certified Elder Law Attorney from the National Elder Law Foundation.

Discounted Paralegal Pricing

Both the institute and the special add-on seminar are perfect for paralegals. Bring yours at a reduced rate.

See back cover.

Details

September 14–15, 2017

Plymouth, Michigan
The Inn at St. John's

CLE: 8 | **Ethics:** 0.5
Level: Basic/Intermediate/Advanced

Special Add-On Seminar
Completing the Medicaid Application: A Hands-On Workshop
Friday, September 15
See page 11.

Special Events
Thursday, September 14
Exhibit Hall Showcase and Mid-Day Reception
Friday, September 15
Breakfast Roundtable: Networking and Marketing
See page 5.

Discounted rooms available at The Inn at St. John's
See page 4.

PCP PROBATE & ESTATE PLANNING CERTIFICATE PROGRAM ELECTIVE

Register Today

Online
www.icle.org/elderlaw

Call
877-229-4350

Fax
877-229-4351

Mail
ICLE, 1020 Greene St.
Ann Arbor, MI 48109-1444

Agenda

8:00am Continental Breakfast, Vendor Showcase, and Registration (Both Days)

THURSDAY, SEPTEMBER 14, 2017

8:00am NEW *Elder Law Certificate Program*—Demonstration by ICLE Staff
9:00am Welcome and Introduction to the Case Study
9:20am Elder Law Policy Update from the Trenches
10:45am Networking Break

	Medicaid Track	Intermediate/Advanced Track
11:00am	Medicaid Essentials	Elder Law Planning for the Modern Family
12:00pm	Networking Lunch Under the Tent	
1:15pm	Interaction Between Medicaid and Medicare	Incapacity Planning Tools for Every Client
2:15pm	The Courts and Beyond: Examining Effective Elder Law Advocacy	Long-Term Care Insurance Policies, Planning, Denials, and Advocacy
3:00pm	Exhibit Hall Showcase and Mid-Day Reception	
3:45pm	The Top 10 Tips for Effective DHHS Appeals	What Ethical Elder Law Lawyers Must Know

4:40pm Closing Keynote: Elder Law Town Hall

FRIDAY, SEPTEMBER 15, 2017

8:00am Breakfast Roundtable: Networking and Marketing (Pre-Registration Required—Limit 50)
9:00am Elder Law Caselaw and Statute Update

	Track 1*	Track 2*
10:00am	The Intersection of Veterans' Benefits and Other Programs	Effective Use of Probate Court: Using EPIC's Overlooked but Powerful Provisions
10:35am	Networking Break	
10:50am	Navigating Suspected Elder Abuse Situations	Overview of Nursing Home, Assisted Living, and Community-Based Support Options for Older Adults
11:35am	Interactive Financial and Tax Planning	Interactive Special Needs Solutions

*MP3 download available to all registrants after the seminar.

Accommodations

The Inn at St. John's
44045 Five Mile Road, Plymouth, MI 48170

A block of rooms has been reserved at The Inn at St. John's, Plymouth, under ICLE for September 13–14, 2017. The room rate is $152/night. Please call 734-414-0600 to reserve a room.

Reservations must be made by 08/22/17. Registrants are responsible for their own hotel expenses.

Plenary Sessions

Moderator
Thursday Plenary

Amy Rombyer Tripp

Chalgian & Tripp Law Offices PLLC, *Jackson*

Moderator
Friday Plenary and Track 1

Terrence G. Quinn

The TGQ Law Firm, *Ann Arbor*

8:00am/Thursday

NEW *Elder Law Certificate Program*—Demonstration by ICLE Staff

Be among the first to see our new online certificate program! We'll walk you through this innovative and practical online program. The *Elder Law Certificate Program* will be available for purchase starting in September 2017.

9:00am/Thursday

Welcome and Introduction to the Case Study

Amy Rombyer Tripp, Chalgian & Tripp Law Offices PLLC, *Jackson*

9:20am/Thursday

Elder Law Policy Update from the Trenches

Find out what's happening at the ground level in Washington and why big changes could be coming to elder law practice. From targeted legislation aimed at spousal protections to major proposals to cap federal Medicaid expenditures, this Congress could prove to be one of the most consequential in the history of the profession.

Jason A. Frank, Frank Frank & Scherr LLC, *Lutherville, MD*

12:00pm/Thursday

Networking Lunch Under the Tent

Get outside and enjoy lunch on-site with fellow registrants and faculty.

3:00pm/Thursday

Exhibit Hall Showcase and Mid-Day Reception

Relax and join faculty, exhibitors, sponsors, and fellow registrants for refreshments.

4:40pm/Thursday

Closing Keynote: Elder Law Town Hall

Jason A. Frank and select faculty members lead an interactive discussion of new developments, national and local trends, and up-to-the-minute planning strategies in this freewheeling session. Get in on the discussion and get your questions answered.

Jason A. Frank, Frank Frank & Scherr LLC, *Lutherville, MD*; Gregory R. Kish, John A. Scott PC, *Traverse City*; Sara A. Schimke, Jaffe Raitt Heuer & Weiss PC, *Southfield*; Amy Rombyer Tripp, Chalgian & Tripp Law Offices PLLC, *Jackson*

8:00am/Friday

Breakfast Roundtable: Networking and Marketing

Sit down with the leaders in elder law practice to learn how they rose to the top of their field. Share your experiences, get your questions answered, and network with colleagues. Get new ideas on how to promote yourself and your practice.

(Pre-Registration Required—Limit 50)

9:00am/Friday

Elder Law Caselaw and Statute Update

Stay ahead of the curve with this practical overview of recent caselaw and statutory changes in Michigan and around the country. Focusing on examples that will likely have the biggest impact on elder and special needs practitioners, apply recent law to advance your clients' interests and avoid pitfalls.

Christopher W. Smith, Chalgian & Tripp Law Offices PLLC, *Southfield*; Joseph D. Weiler, Jr., Chalgian & Tripp Law Offices PLLC, *Midland*

Tracks

Moderator
Medicaid Track

Gregory R. Kish

John A. Scott PC, *Traverse City*

Intermediate/Advanced Track

11:00am/Thursday

Elder Law Planning for the Modern Family

As the definition of "family" grows, so should your planning techniques. Review traditional approaches for blended families and explore additional planning opportunities for evolving family situations.

Sara B. Rubino, Jaffe Raitt Heuer & Weiss PC, *Southfield*

1:15pm/Thursday

Incapacity Planning Tools for Every Client

As an elder law lawyer, you deal with clients across the spectrum of capacity: completely competent clients planning for their future, clients whose capacity is diminishing, and clients helping loved ones with little or no capacity. What are the pitfalls associated with incapacity planning? What happens when incapacity planning fails or was never done? Learn how to use estate planning tools to plan effectively for your clients at every stage.

Kathleen Hogan Aguilar, Miller Johnson, *Grand Rapids*

2:15pm/Thursday

Long-Term Care Insurance Policies, Planning, Denials, and Advocacy

Gain an overview of long-term care insurance and pinpoint what to look for when you review a policy. Help clients navigate insurance proceeds with a Medicaid application and the patient pay amount. Use tested strategies to confidently handle claims denials.

Nancy Boari, Northwestern Mutual, *Troy*; Brian R. Jenney, Kemp Klein Law Firm, *Troy*

3:45pm/Thursday

What Ethical Elder Law Lawyers Must Know

Are you unsure of your ethical boundaries when representing a client who exhibits signs of dementia? Using interactive case scenarios, explore your ethical responsibility to clients with capacity issues (and their families); practical solutions to potential ethical issues; and ways to prevent potential grievances.

Catherine Contos Metzler, Miller Johnson, *Kalamazoo*

Tracks

Moderator
Intermediate/ Advanced Track

Kathleen Hogan Aguilar
Miller Johnson, *Grand Rapids*

Moderator
Track 2

Katie Lynwood
Buhl Little Lynwood & Harris PLC, *East Lansing*

Medicaid Track

11:00am/Thursday

Medicaid Essentials

Designed for beginners. Learn the eligibility rules for long-term care Medicaid benefits, including nursing home Medicaid, MI Choice Waiver, and PACE programs. Master the most common Medicaid/long-term care planning strategies, gain practical tips for interacting effectively with the Department of Health and Human Services, and discover the essential resources to reference as you practice further in this area.

Gregory R. Kish, John A. Scott PC, *Traverse City*

1:15pm/Thursday

Interaction Between Medicaid and Medicare

Grow your knowledge of how Medicaid and Medicare interact to create better options for your clients. Master what is available to people who are eligible for both benefits. Maximize benefits coverage and protection for Medicare-covered hospital patients with effective discharge planning advocacy. Explore emerging issues including the new Medicare Outpatient Observation Notice and its potential impact on your client's coverage.

Sanford J. Mall, Mall Malisow & Cooney PC, *Farmington Hills*

2:15pm/Thursday

The Courts and Beyond: Examining Effective Elder Law Advocacy

As a lawyer, law school trained you to focus on advocacy through the court system. But effective client-driven advocacy goes way behind proper interpretation of the laws. You also need to ensure the laws get drafted the right way to begin with. Examine recent litigation, plus learn about other forms of advocacy and what has been accomplished in Maryland that can be applied to Michigan.

Jason A. Frank, Frank Frank & Scherr LLC, *Lutherville, MD*

3:45pm/Thursday

The Top 10 Tips for Effective DHHS Appeals

Examine key legal, procedural, and practical strategic considerations that promote potent advocacy in DHHS administrative hearings and posture these cases well for judicial appeals. The DHHS Medicaid program will be used as a template for the techniques discussed in this session.

David L. Shaltz, Chalgian & Tripp Law Offices PLLC, *East Lansing*

Track 1

10:00am/Friday

The Intersection of Veterans' Benefits and Other Programs

The improved pension, or Aid and Attendance benefit, can help seniors afford long-term care expenses. However, it can have an unanticipated effect on other benefit programs such as Medicaid and Waiver. Some common planning techniques can disqualify seniors from other critical benefits. Understand the interaction between these benefit programs to competently advise clients regarding veterans' benefits.

Robert D. Mannor, Mannor Law Group PLLC, *Grand Blanc*

10:50am/Friday

Navigating Suspected Elder Abuse Situations

The physical, mental, financial, and sexual abuse of elderly clients is a growing problem. If a lawyer knows or strongly suspects that an elderly client is being abused, can the lawyer violate client confidences and report the abuse? Are there instances when the lawyer is required to report abuse? Improve your ability to recognize the signs of abuse and grasp when and how to report it.

Joelle Gurnoe-Adams, *Ann Arbor*; Kathleen M. Graham, Neighborhood Legal Services Michigan Elder Law and Advocacy Center, *Redford*

Tracks

Track 1, *continued*

11:35am/Friday

Interactive Financial and Tax Planning

To provide great service, elder law lawyers must understand the tax and financial matters clients may face. Get answers to questions such as, what if the community spouse dies first, how do Medicaid spend-down techniques affect income taxes, and what are the ripple effects of re-titling property? Using real-life exercises, dig into planning with challenging qualified assets; learn how to address the tax impact of liquidating assets for the Medicaid spend down; and be better equipped to work effectively with accountants and financial planners.

Laurie S. Frank, Frank Frank & Scherr LLC, *Lutherville, MD*; Sara A. Schimke, Jaffe Raitt Heuer & Weiss PC, *Southfield*; Elizabeth Zeldes, Senior Advisory Services PLLC, *Ada*

Track 2

10:00am/Friday

Effective Use of Probate Court: Using EPIC's Overlooked but Powerful Provisions

Petitions for instructions, protective orders, and complaints for examination are versatile tools. Gain concrete examples of how they can head off family disputes; identify and stop elder financial exploitation or self-neglect; shelter spousal and client assets in Medicaid and disability planning; complete the estate plans for incapacitated persons; and avoid disputes on the meaning of instruments, fiduciary duty, and other thorny issues.

Nathan Piwowarski, McCurdy Wotila & Porteous PC, *Cadillac*

10:50am/Friday

Overview of Nursing Home, Assisted Living, and Community-Based Support Options for Older Adults

Identify Medicaid-funded nursing facilities and home- and community-based services, as well as care options in licensed and unlicensed assisted-living facilities. Examine sources of law and policy, public funding, consumer rights, benefits, obstacles, and advocacy resources.

Alison E. Hirschel, Michigan Elder Justice Initiative, *Lansing*

11:35am/Friday

Interactive Special Needs Solutions

Planning for a person with a disability presents unique challenges for families as they try to protect the vulnerable beneficiary and preserve public benefit eligibility. Learn the advantages of the Self-Settled SNT and Third-Party SNT as well as the new 529A/ABLE account. Using fact pattern challenges, work in teams to create solutions that go beyond the trust document and dig into true special needs planning. Walk away with helpful checklists and answers to burning questions such as, when do I need to go to court, does my trust need an EIN, and how can the trust pay for shelter and not reduce the SSI?

Raymond A. Harris, Buhl Little Lynwood & Harris PLC, *East Lansing*; Arthur L. Malisow, Mall Malisow & Cooney PC, *Farmington Hills*; Amy Rombyer Tripp, Chalgian & Tripp Law Offices PLLC, *Jackson*

Hot Sessions

Elder Law Caselaw and Statute Update

See page 5.

Interactive Financial and Tax Planning

See above.

Interactive Special Needs Solutions

See above.

Navigating Suspected Elder Abuse Situations

See page 7.

“No matter your area of practice, if you have clients who are seniors or are related to or responsible for seniors, you need to attend this institute!

Sara Zivian Zwickl, Zivian & Zwickl, *Farmington Hills*

“This is a must-attend conference! Anyone who practices in this area of the law and doesn’t avail themselves of this resource risks making critical errors.

Deborah Bennett Berecz, Berecz & Associates PLC, *Grandville*

“Very useful. Also fun. Worth every dollar and more! Forms, examples, and ready-to-use tools combined with experienced analysis and commentary. Top-notch!

Ann Victoria Hopcroft, Hopcroft Law PLC, *Oscoda*

GOLD SPONSORS

MBT
WEALTH MANAGEMENT GROUP
Powerful • Personalized • Performance

SILVER SPONSORS

Community Foundation
FOR SOUTHEAST MICHIGAN

Your Success. Our Commitment.
ELDERCOUNSEL®
Excellence in Elder Law and Special Needs

Completing the Medicaid Application: A Hands-On Workshop

Special Add-On Seminar

CLE: 2.5
Level: Basic/Intermediate

September 15, 2017 | 2:00pm–5:00pm | The Inn at St. John's, Plymouth

Get the Step-by-Step Guidance You Need

The Medicaid application seems straightforward, but every client has unique needs. This is your chance to fill out an appplication from A to Z in an interactive group setting. Experts provide feedback on the case study and send you home with the answers and experience you need. Bring your support staff. It's the perfect companion to the *Elder Law Institute*.

Benefits of Attending:

- Determine your strategy and start off on the right foot
- Begin with the assets declaration and work in small teams
- Learn how to respond to requests for additional support
- Walk away with a sample application approved by experts

Schedule

2:00pm Introduction to the Case Study and Plan for the Seminar

2:10pm Intake and Needs Assessment

2:50pm Group Exercise—Filling Out the Application

3:40pm Group Exercise—Complete the Application, Report Out, and Review the Application's Exhibits

4:20pm Follow Up After the Application Is Submitted

4:45pm Avoiding Land Mines, Wrap-Up, and Questions and Answers

Moderator

Terrence G. Quinn
The TGQ Law Firm, *Ann Arbor*

Contributors

Rosemary Howley Buhl
Buhl Little Lynwood & Harris PLC, *East Lansing*

Arthur L. Malisow
Mall Malisow & Cooney PC, *Farmington Hills*

Melisa M. W. Mysliwiec
Fraser Trebilcock, *Grand Rapids*

Charles S. Ofstein
DeMent and Marquardt PLC, *Kalamazoo*

Save $20 When You Register for the Elder Law Institute

www.icle.org/elderlaw
877-229-4350

3RD ANNUAL

Elder Law *institute*

SEPTEMBER 14–15, 2017
The Inn at St. John's, Plymouth

THE UNIVERSITY OF MICHIGAN
INSTITUTE OF CONTINUING LEGAL EDUCATION
ICLE
1020 Greene Street
Ann Arbor, MI 48109-1444

NONPROFIT ORG
U.S. POSTAGE
PAID
ANN ARBOR, MI
PERMIT NO. 106

ADDRESS SERVICE REQUESTED

4 Ways to Register

1 **Online** (with credit card)
www.icle.org/elderlaw

2 **Call** (with credit card)
877-229-4350

3 **Fax** (form with credit card)
877-229-4351

4 **Mail** (form with payment)
ICLE, 1020 Greene St.
Ann Arbor, MI 48109-1444

A. Personal Info

Name ____________________

MI Bar# ________ ICLE P'ship# ________

Firm ____________________

Address ____________________

City ________ State ________ Zip ________

Phone ________ Fax ________

E-mail ____________________

B. Institute Registration | Pick One

Elder Law Institute

- ☐ **$395** General
- ☐ **$345** ICLE Partner
- ☐ **$195** New Lawyer (0–3 Years in Practice P78137+)
- ☐ **$195** Paralegal
- ☐ **$295** per Lawyer (4+ Lawyers from the Same Firm)[1]
- ☐ **FREE** Judges (Limit 40)[2]

17CI-2632

C. Materials Format | Institute Registrants Pick One

- ☐ **FREE** Print Handbook and Electronic Materials
- ☐ **Save $25** Electronic Materials Only[3]

D. Institute Optional Event

- ☐ **FREE** Breakfast Roundtable: Networking and Marketing (Limit 50) (09/15/17)

E. Special Add-On Seminar Registration | Optional

Completing the Medicaid Application: A Hands-On Workshop

- ☐ **$145** Elder Law Institute Registrant
- ☐ **$165** General (Not Attending the Elder Law Institute)
- ☐ **$145** ICLE Partner
- ☐ **$95** New Lawyer (0–3 Years in Practice P78137+)
- ☐ **$145** Paralegal
- ☐ **$145** per Lawyer (4+ Lawyers from the Same Firm)[1]

17CH-2645

F. Can't Attend the Institute?

Non-Registrants—Purchase the Electronic Materials and Select Recordings.

- ☐ **$195** Non-ICLE Partners
- ☐ **$136.50** ICLE Partners

G. Payment Info | Calculate Total and Select Check/CC

Institute Registration (Box B)	$________
Institute Electronic Materials Only Discount[3] (Box C)	$ (-$25)
Special Add-On Seminar Registration (Box E)	$________
Institute Materials for Non-Registrants (Box F) *(Add 6% MI Sales Tax to This Line Only)*	$________
Total Amount Due	$________

☐ **Check** Check No. ____________________ Payable to: ICLE

☐ **Visa** ☐ **Mastercard** ☐ **Amex** ☐ **Discover**

CC No. ____________________ Exp. Date ________

Signature for CC ____________________

8BE

Complete Seminar Policy: www.icle.org/info/seminarpolicies. Prices guaranteed until 09/15/17. [1]Please attach additional sheet listing lawyers attending. [2]Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. [3]Registrants will receive the print handbook and electronic materials if no format is specified. Select "electronic materials only" discount or enter SAVE25 online to save $25 off registration fee. Materials will be posted online before the seminar. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before the seminar. **Walk-in Registrations:** Permitted on a space-available basis or if registrants fail to claim their seat in the first 15 minutes of the seminar. **Institute Cancellation Policy:** For a full refund, notify ICLE by 08/31/17. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after 09/07/17. **Special Add-On Seminar Cancellation Policy:** For a full refund, notify ICLE by 09/01/17. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after 09/08/17.