ICLE | Your Partner in Practice

SEPTEMBER 12–13, 2019 | PLYMOUTH

5TH ANNUAL

Elder Law *institute*

Serve the Expanding Needs of Your Clients Confidently

Something for Everyone

Caselaw and Statute Update

Medicaid Essentials

Expert Insight Using Real-World Scenarios

Special Add-On Seminar

Medicaid Workshop: Navigating MI Choice Waiver and Beyond

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

NEW!
This event helps you save on malpractice insurance. *See page 7.*

Serve the Expanding Needs of Your Clients Confidently

Packed with critical updates and the latest insight, delivered by heavy hitters. National speaker Valerie Peterson shares helpful strategies in light of VA rule changes. Jen VanderVeen, president of NAELA, delivers national policy updates. Get hands-on drafting advice and test your ability to identify capacity during two interactive sessions. Plus, some of Michigan's best practitioners unravel the mysteries of Medicaid.

For Experienced Elder Law Practitioners

You Will Be Able to:

- Successfully complete a VA pension application under the new rules
- Resolve financial issues with nursing facilities
- Make the most of CMH resources for your clients, no matter the region
- Evaluate how recent BEM changes will affect your clients
- Refresh your Medicaid skills by seeing other lawyers' approaches

For Probate Lawyers and Others New to Elder Practice

You Will Be Able to:

- Confidently navigate Medicaid, from basic rules to post-eligibility
- Draft a solid long-term care plan, including strategies for retirement plan assets
- Employ effective strategies for evaluating capacity
- Prevent unrealistic expectations that arise in special needs planning
- Get your questions answered by an expert panel

FEATURED SESSION

9:00am/Friday

Elder Law Caselaw and Statute Update

This highly popular, fast-paced update is back. Modeled after ESPN's "Pardon the Interruption" show (think witty banter and a countdown), this fun session helps you stay ahead of the curve.

Past attendees rave:

"Excellent format." "Great summaries." "Please invite back!"

See page 5.

Speakers

Christopher W. Smith
Chalgian & Tripp Law Offices, *Southfield*

Joseph D. Weiler, Jr.
Chalgian & Tripp Law Offices, *Midland*

EVERYTHING YOU NEED TO MASTER MEDICAID

SPECIAL TRACK

The Basics from A to Z

There's always a reason to revisit Medicaid. Back by popular demand, our Core Concepts Track covers the basics from A to Z. Even experienced practitioners tell us they like to get the current thinking, refresh what they already know, and see how others practice. Learn the rules and apply them; tackle the application; and avoid estate recovery. There's truly something for everyone.

10:55am/Thursday
Medicaid Essentials: Rules

1:05pm/Thursday
Medicaid Essentials: Basic Planning

2:15pm/Thursday
Medicaid Essentials: The Application

3:50pm/Thursday
Medicaid Essentials: Post-Eligibility

See page 6.

"Very useful. Worth every dollar and more!"

Ann Victoria Hopcroft,
Hopcroft Law PLC, *Oscoda*

SPECIAL ADD-ON SEMINAR

Medicaid Workshop: Navigating MI Choice Waiver and Beyond

September 13, 2019 | 2:00pm–5:00pm

Get Step-by-Step Guidance

Stay after the *Elder Law Institute* for this hands-on session. Grasp the vast array of Medicaid benefit options in Michigan and take a deep dive on MI Choice Waiver. Examine regional differences and take away practical advocacy strategies. Use case studies to learn how to get your client eligible and navigate the nuances of the waiver application. Avoid traps and broaden the options for your clients.

Benefits of Attending:

- Identify regional differences so you know what to expect
- Go step by step through real-world MI Choice Waiver scenarios
- Get practical tips for preserving assets and completing the application
- Avoid land mines using effective advocacy strategies

PCP PROBATE & ESTATE PLANNING CERTIFICATE PROGRAM ELECTIVE

Moderator

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

Speakers

Patricia E. Kefalas Dudek
Patricia E. Kefalas Dudek & Associates, *Farmington Hills*

Heather Hill MA, MPA
Michigan Department of Health and Human Services, *Lansing*

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

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

Kelly J. McNerney Quardokus
Q Elderlaw PLC, *Portage*

Save $20 on This Add-On When You Register for the *Elder Law Institute*

Schedule

CLE: 9 **Level:** Basic/Intermediate/Advanced

PCP PROBATE & ESTATE PLANNING CERTIFICATE PROGRAM ELECTIVE

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

THURSDAY, SEPTEMBER 12, 2019

8:00am	Elder Law Certificate Program Demonstration	
9:00am	Welcome and Introduction to the Case Study	
9:20am	New Rules for Veterans Administration Pension: What You Need to Know	
10:40am	Networking Break	
	Core Concepts Track	**Intermediate/Advanced Track**
10:55am	Medicaid Essentials: Rules	Mental Health Services in Michigan
11:50am	Networking Lunch	
1:05pm	Medicaid Essentials: Basic Planning	Hands-On VA Pension Application
2:15pm	Medicaid Essentials: The Application	Working with Nursing Homes to Resolve Financial Issues
3:05pm	Exhibit Hall Showcase and Mid-Day Reception	
3:50pm	Medicaid Essentials: Post-Eligibility	Recent Medicaid BEM Changes
4:45pm	Closing Keynote: Elder Law Town Hall	

FRIDAY, SEPTEMBER 13, 2019

8:00am	Breakfast Roundtable: Networking and Marketing (Pre-Registration Required—Limit 50)	
9:00am	Elder Law Caselaw and Statute Update	
9:50am	National Update and Emerging Issues	
10:30am	Networking Break	
	Core Concepts Track*	**Intermediate/Advanced Track***
10:45am	What Financial Planners Don't Want You to Know	Dealing with Unrealistic Expectations in Special Needs Planning
11:35am	Hands-On Drafting Estate Planning Documents with Long-Term Care In Mind	Interactive Session: Assessing Capacity
1:00pm	Elder Law Certificate Networking Lunch (Pre-Registration Required—Limit 50) Available to *Elder Law Certificate Program* subscribers only.	

*MP3 download available to all registrants after the seminar.

EXPERT INSIGHT USING REAL-LIFE SCENARIOS

Choose the topic that's most relevant to you now. Use real-life scenarios and work in teams to create effective long-term care plans. Put yourself to the test by evaluating capacity, with guidance from lawyers and a physician.

11:35am/Friday

Core Concepts Track

Hands-On Drafting Estate Planning Documents with Long-Term Care in Mind

See page 6.

Intermediate/Advanced Track

Interactive Session: Assessing Capacity

See page 7.

8:00am/Thursday

Elder Law Certificate Program Demonstration

Visit ICLE's table in the exhibit hall. See this practical online training firsthand.

9:00am/Thursday

Welcome and Introduction to the Case Study

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

9:20am/Thursday

New Rules for Veterans Administration Pension: What You Need to Know

Get up to speed on critical changes to the Veterans Administration eligibility rules and application of the new asset limit. Learn effective planning strategies in light of the three-year "look-back" period and recent changes to the homestead exemption. Examine how to calculate a transfer penalty for gifts made in order to best advise your client. Grasp the new rules and insider insight on the challenges to be prepared for—it's all here.

Valerie L. Peterson, ElderCounsel LLC, *Bend, OR*

11:50am/Thursday

Networking Lunch

Relax and join faculty, sponsors, exhibitors, and fellow registrants for a leisurely lunch.

3:05pm/Thursday

Exhibit Hall Showcase and Mid-Day Reception

It's the perfect time to enjoy refreshments and check out the many displays.

4:45pm/Thursday

Closing Keynote: Elder Law Town Hall

Valerie Peterson 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.

Gregory R. Kish, John A. Scott PC, *Traverse City*; Charles S. Ofstein, DeMent and Marquardt PLC, *Kalamazoo*; Valerie L. Peterson, ElderCounsel LLC, *Bend, OR*; Amy Rombyer Tripp, Chalgian & Tripp Law Offices, *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. By focusing on examples that will have the biggest impact on elder and special needs practitioners, you will be able to apply recent changes in the law to advance your clients' interests and avoid possible pitfalls.

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

9:50am/Friday

National Update and Emerging Issues

Get an up-to-the-minute assessment of the national landscape from the president of NAELA. Learn about the latest trends and emerging elder law issues out of Washington, DC, and beyond.

Jennifer VanderVeen, Tuesley Hall Konopa LLP, *South Bend, IN*

1:00pm/Friday

Elder Law Certificate Networking Lunch

Enjoy lunch with fellow subscribers and faculty members to make contacts, share experiences, and get your questions answered.

Available to *Elder Law Certificate Program* subscribers only. (Pre-Registration Required—Limit 50)

Plenary

FEATURED SPEAKER

Valerie L. Peterson

ElderCounsel LLC, *Bend, OR*

Valerie is CEO of the nationwide member services organization, which supports elder law and special needs lawyers. She is known for breaking down complex issues and her presentations across the country have been described as "powerful." She gets you up to speed on changes to the VA pension and also takes you step by step through the application process.

SILVER SPONSORS

Tracks

FEATURED SPEAKER

Charles S. Ofstein

DeMent and Marquardt PLC, *Kalamazoo*

Charles is an astute practitioner with a quick wit. He knows elder law and estate planning front to back. He's drawn rave reviews for past presentations on Medicaid—and this year should be no exception. Join him for an in-depth look at how to get your Medicaid application approved.

> "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*

Core Concepts Track

10:55am/Thursday

Medicaid Essentials: Rules

Start with the basics of Medicaid and become familiar with how to search the rules online, the top five rules to review, everything you must know about filing deadlines and notice requirements, plus the alphabet soup of BEMs, BAMs, CFRs, and more.

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

1:05pm/Thursday

Medicaid Essentials: Basic Planning

Learn to apply the long-term care Medicaid rules to understand your client's eligibility for nursing home Medicaid, MI Choice waiver, and PACE programs. Master when and how to implement several effective planning strategies.

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

2:15pm/Thursday

Medicaid Essentials: The Application

Take a step-by-step approach to your next Medicaid application. Gather needed information, meet key dates, and complete the assets declaration, Medicaid application, and other key documents with confidence. Shepherd the application through the DHHS process to approval.

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

3:50pm/Thursday

Medicaid Essentials: Post-Eligibility

Review post-Medicaid eligibility requirements and estate planning options. Take away effective strategies to avoid estate recovery. Learn the critical steps to take to appeal a disagreement or denial in your client's case.

Brian R. Jenney, Kemp Klein Law Firm, *Troy*

10:45am/Friday

What Financial Planners Don't Want You to Know

Explore common misconceptions and potential abuses within the financial services industry. Hear an insider's perspective on account fees, improper use of annuities, and questionable trading practices. Learn how to identify potential red flags and take away better questions to ask the financial advisors you work with.

Bryan Mortenson, Long Lake Capital Management LLC, *Bloomfield Hills*

11:35am/Friday

Hands-On Drafting Estate Planning Documents with Long-Term Care In Mind

Whether updating a couple's plan that's decades old or faced with a client's divorce, estate planning for long-term care can present a variety of complex challenges. Using real-life scenarios, work in teams to craft pre-need plan designs that effectively integrate long-term care. Learn plan design strategies that address tax implications for retirement plan assets and consider probate avoidance versus useful probate processes. Get expert insight and practical solutions you can't afford to miss.

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

Moderators

Thursday Core Concepts Track
Brian R. Jenney
Kemp Klein Law Firm, *Troy*

Thursday Intermediate/Advanced Track
Lisa P. Lepine
The Arc of Macomb County, *Clinton Township*

Friday Plenary and Friday Core Concepts Track
Arthur L. Malisow
Mall Malisow & Cooney PC, *Farmington Hills*

Friday Intermediate/Advanced Track
Sara B. Rubino
Dickinson Wright PLLC, *Troy*

Tracks

Intermediate/ Advanced Track

10:55am/Thursday

Mental Health Services in Michigan

Discover how mental health systems are the same (and different) from county to county. Learn to discern a Prepaid Inpatient Health Plan (PIHP) and a Community Mental Health (CMH). Demystify how funding flows from the PIHP to the CMH to support coordinating agencies and staffing providers. Gain insight on service delivery through a person-centered plan and the concept of self-determination. Untangle the complexities and explore the resources available to your clients.

Lisa P. Lepine, The Arc of Macomb County, *Clinton Township*

1:05pm/Thursday

Hands-On VA Pension Application

Get practical, step-by-step guidance on how to properly complete a VA pension application under the new eligibility rules. Maximize the likelihood of approval by identifying what additional VA forms should accompany the application and why. Learn to pinpoint what financial and medical information is critical to include in your client's application.

Valerie L. Peterson, ElderCounsel LLC, *Bend, OR*

2:15pm/Thursday

Working with Nursing Homes to Resolve Financial Issues

Explore effective communication strategies to work cooperatively with nursing facilities to resolve financial issues during the Medicaid process. Learn how to settle guardianship and conservatorship issues through agreed-on terms. Gain critical insight into the Uniform Voidable Transactions Act (UVTA) and identify what Medicaid planners need to know about "voidable transactions" when a debt is anticipated to be owed to the nursing home.

Michael J. Lebenbom, Lebenbom & Rothman PC, *Troy*

3:50pm/Thursday

Recent Medicaid BEM Changes

Take away practical analysis of significant Bridges Eligibility Manual (BEM) changes implemented this year. Go beyond the new numbers to evaluate how BEM changes affect your planning clients and understand the impact in light of federal law.

Kathleen Hogan Aguilar, Miller Johnson, *Grand Rapids*

10:45am/Friday

Dealing with Unrealistic Expectations in Special Needs Planning

Whether it's a family member who believes the trustee should buy an expensive home or the court disputing payment of family caregivers, learn how to avoid unrealistic expectations that may arise from the legal guardian, public agencies, court personnel, and the beneficiary in special needs planning. Gain insight into identifying these situations, tools to help you respond when they do, and ways to prevent them from occurring in the first place.

Michele P. Fuller, Michigan Law Center PLLC, *Macomb*

11:35am/Friday

Interactive Session: Assessing Capacity

Get ready for real-life scenarios that will highlight common capacity issues faced in practice. Weigh in with interactive polling and get an inside look at how clinical professionals and experienced practitioners evaluate capacity. Gain insight into the differences between the legal and clinical standards. Learn practical steps you can take if you believe a client is being unduly influenced.

Joseph M. Anderson, MD, Beaumont Health, *Royal Oak*; Edward M. Nahhat, Kemp Klein Law Firm PC, *Troy*; Sara B. Rubino, Dickinson Wright PLLC, *Troy*

FEATURED SPEAKER

Jennifer VanderVeen

Tuesley Hall Konopa LLP, *South Bend, IN*

We're excited to have the NAELA president share her thoughts on emerging issues and trends coming from Washington, DC, and beyond. Jennifer may be based in Indiana, but she also has strong ties to Michigan, being licensed to practice in the state and receiving her JD from the University of Michigan.

"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*

5TH ANNUAL

Elder Law *institute*

SEPTEMBER 12–13, 2019

The Inn at St. John's, Plymouth

NEW!

This Event Helps You Save on Malpractice Insurance

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

Email

B. Institute Registration | Pick One

Elder Law Institute

- ☐ **$395** General
- ☐ **$345** ICLE Partner
- ☐ **$195** New Lawyer (0–3 Years in Practice P80460+)
- ☐ **$195** Paralegal
- ☐ **$295** per Registrant (4+ Registrants from the Same Firm)[1]
- ☐ **FREE** Judges (Limit 40)[2]

19CI-2632

C. Materials Format | Institute Registrants Pick One

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

D. Institute Networking Events | Optional

- ☐ **FREE** Breakfast Roundtable: Networking and Marketing, 09/13/19 (Pre-Registration Required—Limit 50)
- ☐ **FREE** *Elder Law Certificate* Networking Lunch, 09/13/19 Available to *Elder Law Certificate Program* subscribers only. (Pre-Registration Required—Limit 50)

E. Special Add-On Seminar Registration | Optional

Medicaid Workshop: Navigating MI Choice Waiver and Beyond, 09/13/19 | 2:00pm–5:00pm

- ☐ **$145** Elder Law Institute Registrant
- ☐ **$165** General (Not Attending the Elder Law Institute)
- ☐ **$145** ICLE Partner
- ☐ **$95** New Lawyer (0–3 Years in Practice P80460+)
- ☐ **$145** per Registrant (4+ Registrants from the Same Firm)[1]

19CH-2671

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) $________

Materials Format[3] (Box C) $________

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

0BD

Prices guaranteed until 09/13/19. Cannot combine discounts. [1]Please attach additional sheet listing registrants attending. [2]Current sitting state court judges (limit 40) attend free and must complete order form or call ICLE to register. [3]Electronic materials will be posted online before the seminar. **Complete Seminar Policy:** www.icle.org/info/seminarpolicies. **Institute Cancellation Policy:** For a full refund, notify ICLE by 08/29/19. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after 09/05/19. **Special Add-On Seminar Cancellation Policy:** For a full refund, notify ICLE by 08/30/19. Registrants who cancel after that date will be charged a $60 cancellation fee. No refunds will be issued after 09/06/19. **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. **Persons with Disabilities or Dietary Restrictions:** For special arrangements please contact ICLE no later than seven days before 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 09/11–12/19. The room rate is $159/night. Please call 734-414-0600 to reserve a room. Reservations must be made by 08/20/19. Registrants are responsible for their own hotel expenses.