



Medicaid Myths get the facts!

Most people know someone who has qualified for Medicaid, so there are a ton of myths out there about what is required to qualify. You wouldn't take medical advice from a plumber, so don't take legal advice from non-lawyers. Below are some of the common myths we hear.

You earn too much money to be on Medicaid.

Myth! If gross monthly earnings are above the \$2,205 income cap, you need a Qualified Income Trust.

Medicaid is a program for poor people.

Wrong! Most middle class families can benefit from planning for Medicaid.

The state will take your home if you die on Medicaid.

Not Completely True! Texas will not take your home automatically, and if you plan properly, Texas probably never will. If you do not plan, though, the house is likely at risk.

You need to give all your stuff away so that you're so broke, you qualify for Medicaid.

This is possibly the worst thing you can do! Making uncompensated transfers will cause penalties that may even prevent eligibility.

You cannot leave your descendants an inheritance if you're on Medicaid.

Still Wrong! Medicaid recipients who plan properly can and usually do pass on an inheritance.

You should sell your house, cash out life insurance, and liquidate every one of your assets.

Please Don't! You may not have to. Talk with an elder law attorney. You might be eligible for Medicaid right now and not even know it.

BIBBY, McWILLIAMS & KEARNEY
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How Do You Qualify for Medicaid?

Generally speaking, only seven qualification rules exist.

A Nursing Home Medicaid Applicant must:

- 1) be a resident of Texas
- 2) be a citizen of the United States
- 3) be at least 65 years old or disabled
- 4) be in a skilled nursing facility for 30 days
- 5) have a medical necessity for long term care
- 6) have less than \$2,205 gross monthly income
- 7) have less than \$2,000 in countable resources

Is Anything Different if the Applicant is Married?

Absolutely! Medicaid law has many provisions to ensure the healthy spouse of an ailing senior does not impoverish herself trying to afford her spouse's medical care. When an ailing spouse applies for nursing home Medicaid, the healthier spouse still at home is able to take advantage of the income

What Is Medicaid Planning?

Medicaid Planning usually involves restructuring assets to meet federal and state law eligibility criteria so that your loved one can get the medical care he or she needs and deserves.

diversion rules. She can also use the protected resource amount rules. And sometimes, she can even expand the protected resource amount if her monthly income is not in excess of the minimum monthly maintenance needs allowance after utilizing the income diversion rules. Confused yet? No worries. Make an appointment today.

But, these seven rules have lots of exceptions.

By knowing each of the exceptions, an elder law attorney can help you develop a Medicaid eligibility plan that will not only lead to Medicaid qualification but will also preserve the value of your loved one's estate.

Insert this heading and accompanying text directly under "7) have less than \$2,000 in countable resources"

The "Is anything different if the applicant is married" heading and text would go after this paragraph.

JASON HANNA

HAS ASSISTED HUNDREDS OF FAMILIES QUALIFY
FOR MEDICAID BENEFITS TO COVER
THE COST OF LONG TERM CARE



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Sometimes families do not need the assistance of an elder law attorney. Sometimes nursing facilities can assist residents apply for benefits.

But, sometimes families have properties out of state, have earnings above the income cap, or have business interests or promissory notes. Sometimes families just want to protect the family nest egg, or to protect the spouse who is not in the nursing home, or to protect against unexpected surprises that may lead to an eligibility denial.

In these cases, these families need an elder law attorney to protect them. They need attorney Jason Hanna. Contact Bibby, McWilliams & Kearney today.

If your loved one needs long term care, but you cannot afford the cost of a nursing home, what do you do? People all across Texas are asking themselves this same question.

The number one payer source for long term care is Medicaid—not long term care insurance, not Medicare, not life savings.

So, the question is: are you eligible for nursing home Medicaid? Find out with a free legal consultation.

Quick Reference Cheat Sheet

Monthly Income Cap (single)	\$2,205
Monthly Income Cap (2 spouses in care)	\$4,410
Countable Asset Cap (single)	\$2,000
Countable Asset Cap (2 spouses in care)	\$3,000
Spousal Protected Resource Amount, Min.	\$24,180
Spousal Protected Resource Amount, Max.	\$120,900
Minimum Maintenance Needs Allowance	\$3,022.50
Transfer Penalty Divisor	\$162.41



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no commitment initial consultation with

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COMMERCIAL, PROPERTY

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Don't know how to pay for long term care? For starters, don't pay more than you need to for legal advice.

Call to make an appointment with
Jason Hanna at BM&K

~~713 - 936 - 7620 Ext. 117~~



Call for an appointment at our Midtown address. We will also meet you on your terms, whether at a nursing facility or a place of your choosing.

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