

2019
MoNAELA
Elder Law
Symposium



December 5-6, 2019

Ameristar Casino ★ Resort ★ Spa

One Ameristar Boulevard, St. Charles, MO

NEW!

Advanced and Basics Tracks Both Days
Paralegal Day ~ Friday



Presented by : Missouri Chapter of the National
Academy Of Elder Law Attorneys &
Sponsored by TI ♦ TRUST

TI ♦ TRUST
TRUE INTEGRITY FIDUCIARY SERVICES

Thursday, December 5th, 2019

9:30—10:00 AM Registration and Check in

10:00—10:15 AM ~ **Welcome and Opening Remarks** - Brian Quinn, President MoNAELA and Sponsor, TI ♦ TRUST, Mary Schmidt, Senior Vice-President, and Larry Shepherd, Executive Vice-President

10:15—11:05 AM ~ **De-Escalating Difficult Situations:** Not every difficult client situation is life-threatening, but much can be learned from an expert who diffuses these high stakes situations every day. A local SWAT team manager will teach strategies to stay calm, focused and goal-oriented when faced with clients' "explosive" emotions. **Speaker Lt. Patrick Doering, Lake St. Louis Police Department, Lake St. Louis, MO**

11:10—NOON ~ **Real Estate Issues in Long Term Care & Estate Planning:** This session will review real estate issues and problems that can arise when doing planning, what title companies want you to know, and types of deeds to use when doing planning. **Speaker: John Banjak, True Title Company, Clayton, MO**

NOON—12:45 PM Lunch Break Sponsored by Krause Financial — Visit Exhibitors

ADVANCED TRACK

12:50—1:40 PM ~ **Difficult Assets in Medicaid Planning:** Not sure how to treat that rental home, time share, hunting ground, farm, or other non-typical asset? This session will explore how Medicaid, VA and other public benefits treat these assets and how to best plan for them when looking at long term care. **Speaker: Erin Merkle, CELA, St. Louis, MO**

1:45-2:35 PM ~ **Protecting Against Financial Exploitation from the Broker's Point of View:** This session will look at various recent federal and state law developments designed to protect vulnerable seniors against financial abuse. Using real life examples, the session will explain how the financial industry responds when abuse is suspected, but also how to react when legitimate planning is mistakenly identified as exploitation, and what we can do to help. **Speakers: Phil Kuhlmann, Field Supervision Director, Edward Jones, St. Peters & Mike Duff, Department Head, Heightened Compliance, Edward Jones, St. Louis, MO**

BASICS TRACK

Medicaid Basics ~ Single: This presentation will take participants step by step through creating a Medicaid plan for a single individual. You will be exposed to tools used by practitioners throughout the state and discuss how very specific facts are interpreted by MO Health-Net. Topics include: Medicaid eligibility rules; the straight spend-down strategy; and the gift and penalty strategy using both a Medicaid-compliant annuity and a promissory note. **Speaker Mike Weeks, CELA, St. Charles**

State of Medicaid in the State: Representatives from the Missouri Department of Social Services will present tips and tricks for submitting a Medicaid application that is clear and concise, even when the application is complex! **Speakers: Representative from the Mo Dept. of Social Services.**



2:35—2:50 PM Break ~ Visit Exhibitors

2:55—3:45 PM ~ **Update on Annuities:** Name on the check rule, and dealing with IRA's when seeking governmental benefits will be discussed. Hear from a national expert on the use of annuities. **Speakers: Nikki Mitchell, JD, Martha C. Brown & Associates, St. Louis, MO, Thomas Krause, and Scott Engstrom, Krause Financial Services, WI.**

Medicaid Basics ~ Married: Learn how to preserve resources when the institutionalized spouse requires services while the community spouse does not. Topics include the Snapshot Date; Division of Assets; determining the Spousal Share; applying the Community Spouse Resource Allowance, and; application of the Minimum Monthly Maintenance Needs Allowance. **Speaker: Paul Gantner, JD, St. Louis, MO**

Thursday, December 5th, 2019, Continued

ADVANCED TRACK

3:50—4:40 PM ~ Maximizing Your Law Firm: This session will focus on developing solo and small law firms. Mr. Hacking, nationally recognized for his podcasts and Maximum Lawyers Conference, challenges attorneys to be intentional in the management of their firm, from customer service, marketing to managing employees and cases. Hacking will present his insights into the challenges of running a small law firm, and provide actionable tips on maximizing your firm. **Speaker, James Hacking, JD, Maximum Lawyer, St. Louis, MO**

BASICS TRACK

Special Needs Trust Basics: Learn the fundamentals of when a first-party or a third-party special needs trust are appropriate. You will leave this session able to confidently counsel new clients on creating and administering a Special Needs Trust. Navigating the world of public benefits with a Special Needs Trust can be complex, so refresh your practice with a focus on the fundamentals. **Speaker: Sativa Boatman-Sloan, JD, Springfield, MO**

4:40—6:00 PM Networking Reception ~ Sponsored by Colvent Group

Thank you to our Sponsors!



Friday, December 6th, 2019

7:30—8:30 AM Breakfast and Check in

8:30-9:20 AM ~ Think You and Your Clients are Secure? Think Again! Be prepared to be terrified! You and your clients have lost control of your privacy, passwords and maybe even your identity. This revealing and entertaining review of identity theft will provide you concrete steps and free tools that you can use to make you and your clients more secure in the physical and the online world. **Speaker: Steven J. Spano, MBA, CELA, Saugus, MA**

Too Much To Qualify, Not Enough To Live—Flowchart Analysis of What Can Be Done With Excess Funds When A Person Is Receiving SSI or Medicaid: This session will provide a path to follow when advising a person who is receiving SSI or Medicaid assistance and has too many countable assets, or is aware that someone is considering giving assets to the person. After attending this session you will be able to explain to your client what options are available when the client has too much money to qualify for Medicaid or SSI. **Speaker: Craig C. Reaves, CELA, Kansas City, MO**

9:25-10:15 AM ~ Crowdfunding: The Role of SNTs: The community wants to help by giving donations, but your client just got Medicaid! This session will help you prepare families and communities for safely crowdfunding donations for a disabled or special needs client. **Speaker: Mary Alice Jackson, P.C., JD, Austin, Texas**

Unprogram for Paralegals: No question is too small for this session! Discussion topics will include office management, how to deal with difficult clients and everything in-between. Please bring topics you wish to discuss and share with your fellow paralegals how to handle the issues you each face every day. **Moderator: Melissa Leavy, CELA, St. Louis, MO**

10:15—10:30 AM Break ~ Visit Exhibitors

10:30—11:20 AM ~ Decanting: Have you heard about this new, “cutting-edge” estate planning technique called “decanting” that can effectively amend or rewrite a existing irrevocable trust? What do you really know about it? There is no doubt that decanting, which is essentially the process of pouring the assets of an existing trust into a new one can be tremendously beneficial for you and your clients, however; with many estate and tax planning concepts, it’s important that you thoroughly understand it before you recommend and implement it for your clients. **Speaker: Samantha Shepherd, CELA, Overland Park, KS**

Medicare – The “other” program that isn’t Medicaid: Learn the basics of this health insurance program that everyone wants in on - who is eligible for Medicare and when, what it covers and a discussion of the most common denial/benefit terminations – 1) Part B and D income based premium increases; 2) hospital observation status; and, 3) premature termination of skilled rehab services. **Speaker: Debra Schuster, JD, St. Louis, MO**

Friday, December 6th, 2019, continued

ADVANCED TRACK

11:25 AM -12:15 PM ~ Case Law Update: A perennial favorite of the MoNAELA Elder Law Symposium. Professor Morgan will highlight recent cases of note as well as any recent statutory or regulatory changes. **Speaker: Rebecca Morgan, CAP, Professor of Elder Law, Stetson University, School of Law, Gulfport, FL**

BASICS TRACK

Caregiver Contracts: While they seem simple enough on their face, caregiver contracts can get complicated! Learn how to craft a proper caregiver contract, and how to advise families on tracking their time, paying on the contract, and the tax implications involved with being compensated for providing care for a loved one. **Speaker: Courtney L. Fletcher, JD, Springfield, MO**

12:15—1:00 PM Lunch Break—Visit Exhibitors

1:00—1:50 PM ~ Fixing the Broken Irrevocable Trust: An in-depth discussion of the various methods of changing an irrevocable trust, including consent, nonjudicial settlement agreements, decanting, and judicial reformation. **Speaker: Crystal M. Hawk, JD, Hannibal, MO**

Funding Trusts: Two trust officers with years of experience will review their processes and procedures transferring assets in and out of trusts, including revocable living trusts, special needs trusts, irrevocable trusts and the like. Given the speakers expertise this session will be beneficial for those who assist clients in funding their trusts, and assist clients when there are funding problems with specific financial institutions or stock transfer agents. **Speakers: Mary Schmidt, Senior Vice-President, and Susan Knoche, Vice President, TI-Trust, Inc.**

1:55-2:45 PM ~ Ethics Jeopardy: The speakers will use the experiential format of the popular game show to review our ethical obligations as practicing elder law attorneys. **Speakers Mary Alice Jackson, P.C., JD, Austin, Texas and Rebecca Morgan, CAP, Professor of Elder Law, Stetson University, School of Law, Gulfport, FL**

2:45—3:00 PM Closing Remarks and Evaluations



Hotel Information:

Guest rooms are available at Ameristar at a special rate of \$119.

The cutoff date is November 22, 2019.

Call 1-855-888-7273 and identify yourself as a member of the Group, Missouri Chapter of Elder Law Attorneys. You can also make reservations by entering the special offer code **MCHL19A** where prompted on the hotel's reservations page: <https://www.ameristarstcharles.com>

Special Needs: If you are disabled and require assistance or have special food needs, please submit your requirements to MoNAELA three weeks in advance of this event.

Continuing Education: 11 hours & 1 Ethics CLE requested from MO Bar and KS CLE Commission

Schedule At A Glance

Thursday, December 5, 2019

9:30—10:00 AM	Registration and Check-in
10:00—10:15 AM	Welcome and Opening
10:15—11:05 AM	De-Escalating Difficult Situations ~ Joint Session
11:10—Noon	Real Estate Issues in Long Term Care & Estate Planning ~ Joint Session
NOON—12:45 PM	Lunch ~ Sponsored by Krause Financial ~ Visit Exhibitors
12:50—1:40 PM	<u>Advanced:</u> Difficult Assets in Medicaid Planning ♦ <u>Basics:</u> Medicaid Basics (Single)
1:45—2:35 PM	<u>Advanced:</u> Protecting Against Financial Exploitation.... ♦ <u>Basics:</u> State of Medicaid in the State
2:35-2:50 PM	Break ~ Visit Exhibitors
2:55—3:45 PM	<u>Advanced:</u> Update on Annuities ♦ <u>Basics:</u> Medicaid Basics (Married)
3:50—4:40 PM	<u>Advanced:</u> Maximizing Your Law Firm ♦ <u>Basics:</u> Special Needs Trust Basics
4:40—6:00 PM	Networking Reception ~ Sponsored by Colvent Group



Friday, December 6, 2019

7:30—8:30 AM	Breakfast and Check-in
8:30—9:20 AM	<u>Advanced:</u> Think You and Your Clients are Secure? ♦ <u>Basics:</u> To Much to Qualify....
9:25—10:15 AM	<u>Advanced:</u> Crowdfunding.... ♦ <u>Basics:</u> Unprogram for Paralegals
10:15—10:30 AM	Morning Break ~ Visit Exhibitors
10:30—11:20 AM	<u>Advanced:</u> Decanting ♦ <u>Basics:</u> Medicare—The “other” program that isn’t Medicaid
11:25 AM-2:15 PM	<u>Advanced:</u> Case Law Update ♦ <u>Basics:</u> Caregiver Contracts
12:15 -1:00 PM	Lunch Break ~ Visit Exhibitors
1:00—1:50 PM	<u>Advanced:</u> Fixing the Broken Irrevocable Trust ♦ <u>Basics:</u> Funding Trusts
1:55—2:45 PM	Ethics Jeopardy ~ Joint Session
2:45—3:00 PM	Closing Remarks and Evaluations



Missouri Chapter of the
National Academy of
Elder Law Attorneys
2420 Hyde Park Rd., Ste. A
Jefferson City, MO 65109



Save the Date!!
January 24, 2020
Winter Membership
Meeting
Columbia, MO

NOTE: The former Paralegal Track has been expanded and renamed the Basics Track which is designed for the newer elder law attorneys as well as the paralegals. We are offering an Advanced and Basics Track both days. All are welcome both days, however; the curriculum on Friday is more focused to fit the paralegal's role within the law firm.

Participant Fee	On or Before 11/20/19	After 11/21/18
NAELA Member – 1st	\$325	\$375
NAELA Member— 2nd or more (same firm)	\$245	\$295
Non-Member - 1st	\$400	\$450
Non-Member—2nd or more (same firm)	\$320	\$370
Paralegal	\$225	\$275
Paralegal—2nd or more (same firm)	\$145	\$195

REGISTER ONLINE AT : <https://www.naela.org/store/events/registration.aspx?event=CHAPMO1219>

The registration form is available at www.monaela.org on the Events Page or by contacting Diana Love at 573.634.7772 or at diana@monaela.org.

CANCELLATION POLICY: Cancellations 48 hours prior to the start of an event, a registration will receive a refund less a \$25 processing fee. Substitutions for paid registrations are accepted. No refunds will be issued after the 48-hour deadline. Material may be sent upon request. No-shows will not receive a refund. No shows requesting refunds due to an emergency or hardship must be received in writing within 30 days after the event date.

FINANCIAL HARDSHIP POLICY: For assistance contact diana@monaela.org for an application.

SPECIAL NEEDS: If you have special needs, please submit your requirements to MoNAELA three weeks in advance.