

STATE-WIDE SERVICES—AFFORDABLE
 LONG TERM CARE PLANNING
WWW.ALTCSPLANNING.NET
 PHONE: 480/464.4968
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ARIZONA LONG TERM CARE SYSTEM
 AHCCCS/MEDICARE COST-SHARING
 LEGAL DOCUMENT PREPARATION
 FINANCIAL PLANNING
 VETERANS BENEFITS

FREQUENTLY ASKED QUESTIONS - ALTCS

<p>Do I have to give up my current health insurance to get on ALTCS?</p>	<p>No, you don't. ALTCS will bill Medicare and other health insurance benefits first before paying any of your medical bills. By using the ALTCS providers, the cost of your care under ALTCS is covered. If you choose to use the providers that you are familiar with (and who are not contracted with ALTCS), you will still be responsible for the unpaid portions of the bills. Additionally, some program contractors are not allowing the premium as a deduction from the room & board charge so keeping it may not be an option if the premium is greater than your personal needs allowance.</p>
<p>What the difference between your firm and the law firms who also do ALTCS/Medicaid Planning?</p>	<p>In short: EDUCATION! We do our best to educate you about the programs and the requirements. Although a law firm can tell you specifically what you can do, we leave it open to you to make the decisions that are right for your family by providing information about all of your options. Sometimes the law firms may pressure you into a specific plan. Without education, you may not understand how that plan will affect you in the long run.</p>
<p>Can just anyone out there be a caregiver for an ALTCS member?</p>	<p>No. In order to be a caregiver for an ALTCS member, the person must apply to become an employee of one of the personal care companies contracted with ALTCS program contractors. Generally speaking, the companies require a background check before the person is hired.</p>
<p>Are Veterans who served in the post-Korean war time (after the dates listed on the VA website) eligible for compensation and pension benefits?</p>	<p>The following time period, January 31, 1955, through August 5, 1964, is considered a qualifying period for Veterans who served during the post-Korean war time period. These Veterans may be potentially eligible for compensation or pension benefits if they meet the financial and medical requirements for those programs.</p>
<p>What is the maximum hours ALTCS will give my mom for in home care hours per week?</p>	<p>The program contractor's case manager is the one who will do an assessment to determine the number of hours of service. My clients' experiences have indicated that those that ask get what they receive. The program contractor will not pay for more than 40 hours per week. However, the final determination of service hours is based on availability of providers and that program contractor's criteria.</p>
<p>Does ALTCS take your house, car, and belongings once you qualify for help?</p>	<p>No. Although all states are mandated to perform estate recovery, this does not happen until after the death of the ALTCS member. There are also exemptions and waivers from estate recovery for certain individuals. A consultation with Montgomery & Associates provides information so that you can make an informed decision before you pursue Medicaid (ALTCS) benefits.</p>

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<p>If I have given away money or assets, will I qualify for ALTCS?</p>	<p>That depends on your situation. There are two sets of rules that ALTCS uses to determine if the money you've given away will affect your potential eligibility for the program. There are too many variables to a given situation to provide an example here. If you have given away money or assets, we recommend that you seek information to determine if your gifts will cause you to not qualify for ALTCS for a period of time (this is called a period of ineligibility). Not all gifts given result in a period of ineligibility.</p>
<p>Is it true that ALTCS only pays for nursing home care?</p>	<p>No, that is not true. ALTCS pays for and will provide services in skilled nursing facilities, assisted living homes, assisted living centers, adult foster care homes, and in your own home. There are several other settings that are appropriate for services, too, but these are the most common ones.</p>
<p>I'm over the income limit for ALTCS. Are there any options for me?</p>	<p>Yes! A person who is over the income limit for Medicaid (ALTCS) can use a Special Needs Trust (also known as an Income-Only Trust or a Miller Trust) to qualify for services. The income that is placed into the trust is excluded from the eligibility test. See our Income-Only Trust page for more information about this trust.</p>
<p>Is the ALTCS program only for the elderly?</p>	<p>No, the program is for the elderly, physically disabled, and developmentally disabled. People of all ages from all walks of life may find themselves needing long term care. Unfortunately, no one is immune from that possibility.</p>
<p>What are the general requirements for ALTCS?</p>	<p>To qualify for the ALTCS program a person must meet financial, non-financial, and medical qualifications. The breakdown of each of those areas is listed on our ALTCS page.</p>
<p>Do you have to give up your doctor once you qualify for ALTCS?</p>	<p>No, you are not required to give up your doctor. However, if you choose to continue to see your doctor and he/she is not an ALTCS provider, you will be responsible for the unpaid portions of the medical bills related to that doctor. Medicare will work like it always has (if you have Medicare, that is). Medicare typically pays 80% of the Medicare assignment amount and you are responsible for the other 20%. If you have a supplemental policy and/or a retiree medical benefit, then those insurance benefits will continue to operate the same way. The doctor will continue to bill your Medicare and supplemental insurance providers as usual.</p>

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FREQUENTLY ASKED QUESTIONS – VA

If you are under the Maximum Allowable Pension Rate (MAPR), are you automatically eligible for the Veterans benefit?	No! Not only must a Veteran or widow of a Veteran who served during wartime have income below the MAPR, he/she must also have limited assets (resources), too.
Is Aid & Attendance a separate program that you apply for through the Veterans Administration?	No! It is a part of the VA benefits application. Those that need assistance with their activities of daily living AND whose income is below the higher Aid & Attendance MAPR AND whose assets (resources) are limited may qualify for the higher benefit amount. There are additional forms of documentation that one would have to submit to show the need for Aid & Attendance or Housebound Assistance.
Do all Veterans or widows of Veterans who apply for benefits qualify for the maximum pension rate?	No! The Veterans Administration uses the MAPR to determine the maximum benefit payable to an eligible Veteran/widow. In some instances a person's income may be completely zeroed out by unreimbursed medical expenses (UMEs) and therefore they would be eligible for the maximum benefit. In other instances, a person's income is not zeroed out by the UMEs and that person is eligible for the difference between their income and the maximum pension rate.
Is it true that an application may take up to a year to be processed by the Veterans Administration?	Yes! That is sometimes true. The Veterans Administration does place a priority on those applications that show a greater financial need for assistance. Also, Veterans returning from current war time service are also considered a higher priority. Depending on your situation we have seen applications approved in as little as 30 days. Other applications have taken up to 16 months to be processed.
I've been told that if I don't have a medical need I will not qualify for VA benefits.	This is not necessarily true. Those Veterans/widows whose income is below their MAPR may qualify for the difference between their income and the MAPR. VA divides the difference by 12 months to determine the monthly pension rate.
Do I need to pay a firm to help me with my VA benefits application?	No! You do not need to pay for this type of service. The Arizona Department of Veterans Services assists Veterans and widows of Veterans for free. Their contact number is 602/627.3281 and their website address is http://www.azdvs.gov .

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INCOME-ONLY TRUSTS

<p>What is an income-only trust (aka: Miller Trust)?</p>	<p>An income-only trust is an actual trust document that meets the Special Needs Trust provisions of the Arizona Revised Statutes. It is a tool used to help people who are over the income limit for ALTCS qualify for the benefits they would normally be denied.</p>
<p>So, if I create an income-only trust I will be income eligible for ALTCS?</p>	<p>No. Unfortunately, that is just the first step. Not only must an actual income-only trust document be created and signed, but also a bank account in the name of the trust must be opened and funded. Funding the trust means actually depositing the income assigned to the trust into the trust in the month it is received.</p>
<p>If I put my income into an income-only trust I won't have any money to live on!</p>	<p>The income placed into an income-only trust is allowed to be disbursed for personal needs, food, clothing, shelter, medical expenses, share of cost, and other allowable disbursements (see trust provisions for a complete listing), so the beneficiary (through the trustee) can use the money to live on. Keep in mind that the total disbursements for food, clothing, shelter, and payments directly to the beneficiary are counted toward the current income limit, so the totals disbursed for these items must remain at or below the current income limit (\$1911 for year 2008).</p>
<p>If I pass away who gets the money left in the trust?</p>	<p>The first named beneficiary of the trust is AHCCCS. If there are funds beyond what is due to AHCCCS still left in the trust, the remaining funds may then be disbursed to those rightful heirs.</p>
<p>Does an attorney have to create the trust?</p>	<p>No! A certified legal document preparer (CLDP) can create the trust for you. Montgomery & Associates employs Carol Aragon-Montgomery, a CLDP.</p>