

2023 MoNAELA Winter Elder Law Symposium

November 30th & December 1st, 2023

Hilton Garden Inn

19677 E. Jackson Dr, Independence, MO 64057



**Presented by: Missouri Chapter National
Academy of Elder Law Attorneys and
Sponsored by: **Midwest Trust****



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Advanced and Basics Tracks Offered

Thursday, November 30th 2023

9:30—10:00 AM Registration

10:00—10:15 AM ~ **Welcome and Opening Remarks:** *Timothy McCurdy, Attorney, Mitchell, Brown & Associates, LLC and MoNAELA President, St. Louis, MO and Main Event Sponsor: Midwest Trust*

10:15—11:05 AM ~ **POMS and Pooled Trusts**— This presentation will cover the basics of POMS and Pooled Trusts. A comparison of special needs trust POMS to Pooled Trust POMS will be the primary concentration; as well as applicability to attorneys who may want to use a Pooled Trust in the future. There will be sufficient time for questions. **Speaker:** *Casie Stephens, Director of Trust Services, Midwest Special Needs Trust, Columbia, MO*

11:10 AM—12:00 PM ~ **Bed Sores, Broken Bones and Brain Damage: The Plight of Missouri Nursing Home Residents**— In this presentation I will provide some basic facts about the status of nursing home litigation in Missouri, some of the main problems residents are facing (and why) and give a list of what elder law lawyers should look for in determining whether to call a nursing home abuse lawyer for their client. **Speaker:** *David Terry, Terry Law Firm, St. Louis, MO*

12:20—1:30 PM Luncheon Sponsored by Krause Financial Services

1:35—2:25 PM ~ **SNT Disasters: How and When to Decant**—Special Needs Trusts are part of every elder law and estate planning attorney's daily life. In increasing numbers, poor drafting of estate planning documents negatively impacts the individual with special needs, jeopardizing Medicaid and SSI eligibility. Learn the history and the meaning of decanting and learn the "how to" for repairing these estate plans in Missouri to ensure the continuation of benefits for Medicaid and SSI recipients. **Speaker:** *Samantha Shepherd, Managing Attorney, Shepherd Elder Law Group LLC, President & CEO, Assured Trust Company, & Founder, Special Needs Assured, Overland Park, KS*

2:30—3:20 PM ~ **PWD (People with Disabilities) and the Law**— This session will focus on interacting with PWD in the legal setting. We will briefly review the history of disability in the US and in Missouri to better frame the mindset from which many PWD operate. There will be information about the legal history that has affected and currently affects PWD. After touching on the government programs that are in place to assist PWD, we will discuss the "language" of disability, what inclusion means to PWD, the difference between equality and equity in the disability community, and understanding the hopes and dreams of this diverse community. **Speaker:** *Larry Opinsky, Disability Advocate, STL Advocate, St. Louis, MO*

3:20—3:40 PM Visit Exhibitors

3:40—4:30 PM ~ **Top Ten Tax Tips for Elders**—This session will include at least 10 issues that practitioners should be familiar with relative to their clients including basis, estate issues, gift issues and income tax issues. **Speaker:** *Hyman Darling, CELA, Fellow, CAP, Bacon Wilson, PC, Springfield, MA*

4:35—5:25 PM ~ **Case Law Update***— A perennial favorite, Professor Morgan will review the cases of note for the last year. She will include Missouri and Kansas cases as well as federal cases. **Speaker:** *Rebecca Morgan, Professor of Law, Boston Asset Management Chair in Elder Law, Director, MJ in Health Care Compliance, Stetson University School of Law, Gulfport, FL *(virtual session)*



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Thursday, November 30th, 2023, continued

5:30—6:45 PM Networking Reception Sponsored by Colvent Group

Thank you to today's Sponsors!



Friday, December 1st, 2023

7:30—8:30 AM Continental Breakfast

8:35—9:25 AM ~ Ethics Session—Have You Ever...?*— This interactive session will use hypothetical scenarios to illustrate ethical issues that may arise in an elder law practice. The Missouri Rules of Professional Conduct and the NAELA Aspirational Standards (2nd ed) will be referenced in discussing the resolution of these issues.

Speaker: Rebecca Morgan, Professor of Law, Boston Asset Management Chair in Elder Law, Director, MJ in Health Care Compliance, Stetson University School of Law, Gulfport, FL *(virtual session)

ADVANCED TRACK

BASICS TRACK

9:30—10:20 AM ~ Walking the Tightrope: Balancing Benefits and Risks of Psychotropic Medications in Older Adults—This session will address principles of safe medication use in older adults, with a focus on psychotropic drug classes. It will provide guidance and practical strategies to help you advocate for medication use that is part of the solution, not part of the problem.
Speaker: Dr. Hedva Barenholtz Levy, PharmD, BCPS, BCGP, Director, HbL PharmaConsulting, Author Maybe It's Your Medications, St. Louis, MO

Medicaid Planning for the Single Individual—This seminar will focus on Medicaid planning strategies for single individuals with a focus on vendor nursing home coverage. We will briefly explore vendor home and community based services and assisted living Medicaid programs for the single individual as well. **Speaker: Jessica Rooks, Attorney, The Rooks Law Firm, LLC, Kirksville, MO**

10:20—10:45 AM Visit Exhibitors

ADVANCED TRACK

BASICS TRACK

10:45—11:35 AM ~ Missouri Waiver Programs Panel— Hear from those who manage and utilize waivers to provide services to eligible person who might otherwise be institutionalized. **Speakers: Erin Struempfler, Program Manager for the Healthy Children & Youth Program & the Medically Fragile Adult Waiver Program, Rena Cox, Chief of the Bureau of Long Term Services & Supports, Mindy Ulstad, Chief of the Bureau of Senior Programs and Clay McGranahan, Vice-President for Program Services, ARC of the Ozarks**

Vendor Medicaid for Married People—This session will explore Division of Assets and vendor Medicaid coverage for married people. Topics will include the snapshot date and its implications, exempt versus non-exempt resources, spenddown strategies to qualify for Medicaid, and income allocation once one spouse is approved for vendor coverage. **Speaker: Katie Miles-Langford, Attorney, Miles Elder Law, Maryland Heights, MO**



Friday, December 1st, 2023, continued

11:40 AM—12:30 PM ~ Update on Income Taxes— This session will include additional income tax issues and special needs income tax issues and planning strategies regarding income tax reduction. Samples of returns will be provided.
Speaker: Hyman Darling, CELA, Fellow, CAP, Bacon Wilson, PC, Springfield, MA

12:35—1:20 PM Luncheon Sponsored by TI-Trust Inc. & Annual Business Meeting

1:20—1:45 PM Sponsor Presentations and Exhibitor Giveaways

ADVANCED TRACK

1:50—2:40 PM ~ A Voice for the Vulnerable and Voiceless
—This enlightening and interactive panel will discuss common risk factors that make elderly victims susceptible to being victimized (vulnerable, romance scams, identity of abuser being someone that the victim likes, loves or lives with, physical barriers, mental and memory issues, isolation); progressive ways that Jackson County is trying to make prosecution of perpetrators of elder abuse held accountable; and practical tips for elder law attorneys to watch out for individuals who may be victimized and how to help obtain civil remedies. **Speakers: Lori Rook & Elyse Hartley, Partners at Ozarks Elder Law, Springfield, MO and Kelsey Blackwell, Special Victims Unit trial team leader at Jackson County Prosecuting Attorney's office, Independence, MO**

BASICS TRACK

VA Benefits Overview—Elder law attorneys field a wide range of questions regarding veteran benefits. This program will provide an overview of VA benefits that may be available to the veteran, veteran's spouse, family, and survivors. This program will cover both pension benefits available to seniors and disability compensation benefits for service-related disabilities.
Speaker: Jeffrey Bunten, Jeffery J Bunten LLC, Chesterfield, MO

2:45—3:35 PM ~ A View From the Bench—The probate commissioners of Jackson County will provide a “view from the bench” on common issues (and mistakes) they see in decedent estates and guardianship matters. The Commissioners will share tips you can incorporate into your practice both in the Kansas City area and statewide.
Speakers: Deputy Commissioner Brian A. Tillema, Associate Circuit Judge Derek M. Spencer and Clay County Circuit Judge David Chamberlain

3:35—3:45 PM Closing Remarks and Evaluations

Thank you to today's Sponsor!



Schedule At A Glance

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3:40—4:30 PM	Top Ten Tax Tips for Elders ~ Joint Session
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10:45—11:35 AM	Advanced : Missouri Waiver Programs Panel • Basics : Vendor Medicaid for Married People
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1:50—2:40 PM	Advanced : A Voice for the Vulnerable and Voiceless • Basics : VA Benefits Overview
2:45—3:35 PM	A View From the Bench ~ Joint Session
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Hotel Information: Guest rooms are available at the Hilton Garden Inn in Independence at the special rate of \$129+ taxes and fees. Room reservations can be made by calling Reservations toll free: 1-877-782-9444, and ask for the group rate.

The cutoff date to reserve a guest room is October 30th, 2023



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



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Continuing Education: 12 total hours of CLE Credits (which includes 1 hour Ethics CLE) are approved by the MO Bar and 12 total hours of CLE Credits (which includes 1 hour Ethics) are pending approval by the KS CLE Commission.

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 paralegals. We are offering the Advanced and Basics Tracks on Friday. All are welcome both days, however; the curriculum of the Basics Track is more focused to fit the paralegal's role within the law firm.

Participant Type	Participant Fee -
MoNAELA Member – 1st	\$375
MoNAELA Member— 2nd or more (same firm)	\$295 each
Non-Member— 1st	\$450
Non-Member—2nd or more (same firm)	\$370 each
Paralegal—1st	\$275*
Paralegal—2nd or more (same firm)	\$195* each
<i>*Must have an attorney registered to be eligible for a paralegal rate</i>	
Virtual MoNAELA Member – per person	\$375
Virtual Non-Member – per person	\$450

REGISTER ONLINE AT : www.NAELA.org/MONAELA

A PDF of the registration form is also available at www.monaela.org on the “Events Page” or by email request to info@monaela.org.

CANCELLATION POLICY: Cancellations 48-hours prior to the start of the event will receive a refund less a \$25 processing fee. Substitutions for paid registrations are accepted prior to the 48-hour deadline. No refunds will be issued after the 48-hour deadline. 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 of the event.

*For hybrid events, all requests must be made in writing to info@monaela.org in order to convert your registration type (in-person or virtual) 24-hours prior to the start of the event. No refunds will be issued for registration conversion requests not accommodated after the 24-hour deadline.

FINANCIAL HARDSHIP POLICY: For assistance and to request an application, email info@monaela.org.

SPECIAL NEEDS: If you are disabled and require assistance or have special food needs, please submit your requirements to MoNAELA three weeks prior to the event.