



Jim Koewler <jameskoewler@gmail.com>

Seniors and Special Needs News - October 16, 2015

1 message

The Koewler Law Firm <Newsletter@protectingseniorsnews.com>
 Reply-To: The Koewler Law Firm <Newsletter@protectingseniorsnews.com>
 To: Jim <protectingseniorsnewsarchive@gmail.com>

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With help, seniors and people with special needs can keep some of their assets in the family rather than lose their entire life savings to the costs of long term care. They can use these protected assets to enhance their quality of life beyond what long term care alone will provide.

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The Koewler Law Firm
 JAMES L. KOEWLER, JR.



Seniors and Special Needs News

Medicare Open Enrollment is here. Choose your insurance wisely.

This week's newsletter takes a break from the ongoing series about Legal Issues when someone has Dementia to discuss a topic that is important at this time of year.

Medicare's "Open Enrollment" period has arrived for 2016 coverage. To have an insurance plan for 2016 to help cover the 20% of medical costs that Medicare will not cover, a Medicare-eligible person must enroll in the plan of his or her choice by December 7, 2015. (Open Enrollment is October 15 to December 7 each year.) The new policy will take effect on January 1.

People who have Medicare available to them have three basic options for medical insurance. So called "straight Medicare" provides the insured person with Medicare coverage for 80% of medical costs. The insured person is responsible for the other 20% as a co-pay. People who do not wish to pay the 20% co-pay can purchase either Advantage Plans or Medicare Supplements.

An Advantage Plan is an insurance policy that pays most or all of the 20% of medical costs that Medicare does not cover. The amount of the insured's new co-pay depends on the Advantage Plan that the insured chooses.

Generally, the higher the premium, the lower the co-pay. There are plenty of other options that change the price and co-pay as well. (An Advantage Plan actually steps into the shoes of Medicare and pays the 80% in addition

to whatever costs exceed the insured's co-pay. The Advantage Plan insurance company receives both the premium of the individual insured person and a payment from the Medicare program in lieu of Medicare's usual 80% payment towards the insured's costs. The Advantage Program's coverage of Medicare's portion of costs is generally not noticed by the insured.) Because an Advantage Plan is a "replacement" for Medicare, it can have some limitations in covered services or in approved service providers as compared to "straight Medicare." In addition, there are many different advantage plans, each offering slightly different coverage, from which to choose.

When an insured person has a Medicare Supplement (sometimes called a Medi-Gap policy,) the Medicare program pays its usual 80% pays the insured's medical costs, and the Supplement pays the 20% not covered by the Medicare office. Medicare Supplements, because they supplement Medicare rather than replace Medicare, do not generally have any differences from Medicare in covered services or approved service providers. There are many different Supplements. The differences among Supplements generally is small, but worth examining.

Please be aware, it isn't necessary to have Medicare additional insurance.

Someone can choose "straight" Medicare in which he or she must cover the 20% Medicare co-pay by himself or herself. It costs nothing in a year during which that person has no medical issues. It can, though, without warning, cost lots of money if that person has an accident or needs an operation, for example. Each person on "straight" Medicare could pay 20% of \$0 or 20% of \$200,000, or 20% of any amount depending on what happens during that year. Before choosing traditional Medicare, you must decide whether you wish to assume the risk of a big surprise in health costs during the coming year.

The monthly premium for an Advantage Plan is generally much lower than the premium for a Medicare Supplements. (Some Advantage Plans have a \$0 premium, in fact.) An Advantage Plan's limitations on services and providers is the trade-off for a lower premium. The most glaring difference, though, between Advantage Plans on the one hand and both straight Medicare and Medicare Supplements on the other hand is the coverage of post-hospitalization rehabilitation services.

With straight Medicare and Medicare Supplements, an insured person who has been admitted to the hospital for three days and then needs post-hospitalization rehab can have 100 days of rehab coverage. Someone on an Advantage Plan may have rehab coverage end before 100 days have elapsed. An Advantage Plan (because it has rules slightly different than straight Medicare) can determine that rehab is not helping the insured person and can end coverage. Sometimes the rehab coverage is stopped as early as day 20. (Advantage Plans used to base their decisions on ending rehab payments on

on day-to-day progress reports. Now, Advantage Plans must now look at week-to-week comparisons or even bi-weekly comparisons.) Still, rehab can be very expensive, so Advantage Plans have a strong incentive to end rehab coverage as early as possible.

("Admission" to the hospital rather than "under observation" in the hospital is a very important distinction in the availability of any insurance coverage for rehab. That issue is not handled differently by Medicare, Advantage Plans, or Medicare Supplements, though. Consequently, the "admission" versus "observation status" issue is not important to today's discussion. I mention it here as a side note because it is an important issue for all people insured through Medicare.)

Even though we are in an "open" enrollment period, someone covered by any form of Medicare cannot simply switch plans on demand. Medicare, unlike the Affordable Care Act, allows the insurance company to make underwriting decisions on individual plans. Trying to move to a plan that provides more coverage may require a medical examination and will certainly require answering medical questions. Generally, I urge people to move to a Medicare Supplement, if they can (as long as the premium isn't prohibitive.)

If a Medicare Supplement is not available, an alternative is an Advantage Plan or even straight Medicare with a separate Hospital Indemnity policy. (The cost of an Advantage Plan plus Hospital Indemnity policy is usually less than a Medicare Supplement.) A Hospital Indemnity policy is subject to underwriting, though. Someone who exhibits symptoms that are a concern for the Hospital Indemnity insurance company may not be able to get such a policy.

Without considering the cost of premiums, my preferences for medical insurance is a Medicare Supplement. My second choice is an Advantage Plan with a Hospital Indemnity policy. My third choice is straight Medicare. Finally, my fourth choice is an Advantage Plan. (Because I provide legal services to people who need long term care or that have special needs, my clients have health concerns. That possibly causes my preference for the broad coverage that supplements provide.)

No matter your preference, seek out a Medicare insurance agent that represents more than one insurer. Don't just assume that the person at the table in your local grocery, pharmacy, or department store can give you all the options. If the person at that table sells insurance for just one company, please consider whether you want to find more options before deciding.

But, don't go it alone. Get help from an insurance broker. These insurance plans are complicated, and there are many different choices among Advantage Plans and among supplements. Let someone help you figure out

your best options. Their help doesn't cost you anything. They're paid by the insurer you choose.

Choose your plan wisely.

Acknowledgement: Thanks to Michael Whitaker of Premier Solutions Group in Brookpark, Ohio for helping me understand Hospital Indemnity insurance.

Suggest a Newsletter Topic

I try to write something new (and useful) in my newsletter every week. So, I know that I will sometimes have writer's block. I'd like your help, please.

If you have a topic for my newsletter that you'd kindly suggest, I promise to consider it. (I don't promise to pursue it. I just promise to consider it.) I try to write about issues concerning seniors, health care, long term care, special needs, Veterans Pension (aka Aid and Attendance) benefits, and Veterans Compensation benefits. Please keep your suggestions within or near to those topics.

Please submit your suggestion [here](#). If I use your topic suggestion, I'll put the content in both my blog and newsletter.

Thank you for your help.

Social Media Posts from the past week

10-15-2015 #Facebook users help child with #Autism learn about the London subway (the "Tube") <http://ow.ly/RPj4Z>

10-14-2015 In praise of the #FamilyCaregiver <http://ow.ly/RPnsC>

10-13-2015 #LongTermCareInsurance is different than it used to be <http://ow.ly/RPbFN>

10-12-2015 #LongTermCare may not live up to expectations <http://ow.ly/RPp0t>

10-11-2015 Must an #EstatePlan built to minimize #EstateTax be updated? <http://ow.ly/RPqwX>

10-10-2015 #Medicare rule requiring 3-day #Hospital stay before #Rehab may not be necessary <http://ow.ly/RPpiz>

10-09-2015 #Legal Issues when someone has #Dementia – The #Guardianship Application <http://wp.me/p47F09-f8>

Older social media posts can be found in the [social media post archive](#) on the firm's website, ProtectingSeniors.com.

The Koewler Law Firm News

10-20-2015 Jim Koewler will discuss Helping Reluctant Seniors accept the benefits of Long Term Care at Lutheran Hospital in Cleveland, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

10-20-2015 Jim Koewler will discuss Veterans benefits that can help pay for long term care at American Legion Post 91 in Berea, Ohio. The program is open to the public and organized by the CommuniCare family of companies.

10-24-2015 The Koewler Law Firm will have a table display at the Cuyahoga Falls Chamber of Commerce Family Health Expo at the Natatorium and Fitness Center in Cuyahoga Falls, Ohio.

10-28-2015 Jim Koewler will discuss Preventing Senior Fraud at Southwest General Medical Center in Middleburg Heights, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

10-28-2015 Jim Koewler will discuss Helping Reluctant Seniors accept the benefits of Long Term Care at Westlake Village in Westlake, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

10-30-2015 Jim Koewler will present Legal Lessons for Life at Marous Construction in Willoughby, Ohio.

11-03-2015 Jim Koewler will discuss Helping Reluctant Seniors accept the benefits of Long Term Care at O'Neill Healthcare's Assisted Living community in Lakewood, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

11-25-2015 Jim Koewler will discuss Ethical Issues in Case Management and Discharge Planning at Medina General Hospital in Medina, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

12-3-2015 Jim Koewler will discuss Veterans benefits that can help pay for long term care at the Donna Smallwood Activities Center in Parma, Ohio. The program is open to the public and organized by the CommuniCare family of companies.

Older items of firm news can be found in the [news archive](#) on the firm's website, ProtectingSeniors.com.

Jim's available presentations

- Overcoming Seniors' Resistance to Long Term Care (Continuing Education credit available for social workers, counselors, nurses and Certified Case Managers)
- Ethical Issues in Case Management and Discharge Planning (Continuing Education credit and Ethics credit available for social workers, counselors, and nurses, and requested for Certified Case Managers)
- Preventing Senior Fraud (Continuing Education credit available for social workers, counselors, and nurses)
- My Care Ohio and Medicare/Medicaid “Dual Eligibles” (Continuing Education credit available for social workers, counselors, and nurses)
- Navigating Medicaid, Medicare, and the Affordable Care Act (Continuing Education credit available for social workers, counselors, and nurses)
- What people Know about Long Term Care that is Wrong (Continuing Education credit available for social workers, counselors, and nurses)
- Government Benefits that can help Pay for Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- Legal Issues for People with Dementia (Continuing Education credit available for social workers, counselors, and nurses)
- Veterans Benefits for Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- Advance Directives – Powers of Attorney, Living Wills, etc. (Continuing Education credit available for social workers, counselors, and nurses)
- Buying Long Term Care Insurance Wisely (Continuing Education credit available for social workers, counselors, and nurses)
- Planning Ahead to Protect against Long Term Care Costs (Continuing Education credit available for social workers, counselors, and nurses)
- Organizing for Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- Pre-planning your Funeral (Continuing Education credit available for social workers, counselors, and nurses)
- Elder Law: A Primer (Continuing Legal Education credit available)
- Legal Lessons for Life
- Protecting your Money when you need Long Term Care and Essential Estate Planning Considerations (with free living wills for up to 20 audience members)
- Myths about Long Term Care Costs
- How to help your Parents Manage their Affairs
- Legal Lessons for Life

Upcoming meetings

10-19-2015 Medina County Senior Services Network's Education Committee, Tres Potrillos, Medina, Ohio, 11:30 a.m.

10-20-2015 UH Bedford Medical Center Senior Network, Montefiore, Beachwood, Ohio, 8:30 a.m.

10-21-2015 Geauga Professional Association Specializing in Seniors ("PASS"), Brooks House Assisted Living, Hiram, Ohio, 8:30 a.m.

10-22-2015 Portage Senior Services Network, Family and Community Services Building, Ravenna, Ohio, 8:30 a.m.

10-22-2015 Parma Hospital Senior Resource Network, UH Parma Medical Center's Health Education Center, Parma, Ohio, 8:30 a.m.

10-23-2015 Eldercare Professionals of Ohio, Crossroads Hospice, Valley View, Ohio, 9:00 a.m.

10-27-2015 Summit County Senior Services Network, Anthony Kucko Kertesz Funeral Home, Akron, Ohio, 8:00 a.m.

10-27-2015 Professional Networking Group, Brentwood Healthcare Center, Sagamore Hills, Ohio, 8:30 a.m.

10-27-2015 Wayne Holmes Senior Service Coalition, Wayne County Care Center, Wooster, Ohio, 8:30 a.m.

10-29-2015 The Association of Specialists in Aging, Mentor Senior Center, Mentor, Ohio, 8:30 a.m.

11-3-2015 Aging Services Network of Euclid, Euclid Hospital's Waltz Auditorium, Euclid, Ohio, 8:30 a.m.

11-4-2015 Stark Senior Services Network, Canton Baptist Temple, Canton, Ohio, 9:00 a.m.

11-5-2015 Richfield Chamber of Commerce luncheon, The Taverne of Richfield, Richfield, Ohio, 11:45 a.m.

11-4-2015 Medina County Senior Services Network's Client Services Committee, Sully's, Medina, Ohio, 3:00 p.m.

11-11-2015 Medina County Senior Services Network, Liberty Residence, Wadsworth, Ohio, 8:00 a.m.

11-11-2015 Summit Senior Sales, Administrators and Marketers Association, Hickory Ridge, Akron, Ohio, 2:30 p.m.

11-12-2015 Lorain County Senior Services Network, The Abbewood, Elyria, Ohio, 8:30 a.m.

11-16-2015 Medina County Senior Services Network's Education Committee, Tres Potrillos, Medina, Ohio, 11:30 a.m.

Newsletter Archive

Past issues of this newsletter can be found in the [newsletter archive](#) on the firm's website, ProtectingSeniors.com.

Contact Jim Koewler

If you'd like to contact Jim, this newsletter has a dedicated [contact page](#) on the firm's blog site, ProtectingSeniorsNews.com.

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The Koewler Law Firm
P.O. Box 443
Richfield, OH 44286



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