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Seniors and Special Needs News - November 4, 2016

1 message

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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

“My Care Ohio” (People on both Medicare and Medicaid)

Enrollment for 2017

This week’s newsletter takes another break from the ongoing discussion of the 2016 changes to Ohio Medicaid's rules. My Care Ohio enrollment for 2017 has started, so this installment will discuss strategies to reduce the adverse impacts that My Care Ohio could possibly cause to a person's long term care.

Ohioans on both Medicare and Medicaid were first enrolled into My Care Ohio in May, June, and July 2014. These “dual eligible” (better described as “dual covered”) Ohioans were renewed around this time in 2015 and in 2016, and Ohioans who have become covered by both Medicare and Medicaid have been added to the program as they receive that dual coverage.

My Care Ohio is a system of “managed care” for people on both Medicare and Medicaid in Ohio. It is an attempt to control the state’s costs for long term care paid from the state budget.

When the implementation of My Care Ohio started in 2014, the [February 22, 2014](#) installment tried to provide an overview on how the My Care Ohio program was supposed to work. The [February 28, 2014](#) installment

explained how My Care Ohio is an attempt to cut costs through insurance company command and control methods rather than empowering people to choose lower cost care by making it easier to qualify for in-home care Medicaid through PASSPORT or for the Assisted Living Waiver instead of maintaining the current financial incentive to choose a nursing home, with its higher cost per person. The [March 7, 2014](#) installment described the decisions that “dual eligibles” must make when My Care Ohio comes to their county: (1) whether to accept managed care for Medicare for this first year; (2) which Managed Care Organization to join; and (3) whether to accept managed care for Medicare for years two and three. The [March 13, 2014](#) installment outlined what choices to make when enrolling in My Care Ohio. When all of 2014’s enrollees were placed into the My Care Ohio program, the [July 4, 2014](#) installment described how enrollees could minimize the likelihood that needed care services would be cut by opting out of Medicare participation in My Care Ohio. After a few months of experience with My Care Ohio, the [December 5, 2014](#) installment described how the program was cutting off long term care benefits for some people.

Now that it’s time to make enrollment decisions for My Care Ohio for 2017, I want to revisit the strategies that dual-covered Ohioans should use.

My biggest fear for people in the My Care Ohio program is that their managed care organizations (i.e., the insurance companies to which they are assigned) will reduce services that the managed care organizations/insurance companies deem unnecessary as a way to cut costs. (We’ll call the managed care organizations/insurance companies the “MCOs.”) For example, if the person is in a nursing home and is doing well, the MCO might decide that the person can go home and receive home care (with a resulting big reduction in costs.) In fact, friends of mine who work in nursing homes have described a number of such discharges triggered by MCOs. Unfortunately, without the 24 hour care that a nursing home provides, these discharged seniors are at great risk to their health and well-being. Some of them will likely die.

The best protection against unwise cuts in services is the personal doctor.

My fear is that a doctor could feel pressured by the MCO that pays the doctor’s fee to comply with an MCO decision. Because the doctor gets his or her payment from the MCO, the doctor may be hesitant to question or oppose the MCO’s decision to reduce services.

To avoid MCO influence over the doctor, I urge all people in the My Care Ohio program to:

- Opt out of the Medicare portion of My Care Ohio;
- Find out which MCO works best with the care providers (other than the doctor) that you would like to use and enroll with that MCO; and

- Choose a Medicare supplement (not an Advantage Plan) from an insurer that is not one of the MCOs in the My Care Ohio program.
- If you can't get a supplement, then get the best Advantage Plan you can find.
- If the Advantage Plan is from an insurance company that serves as a My Care Ohio MCO in your area, choose a different insurance company as your MCO.

For example, a person in Summit County (where I live) can choose between United Health Care and CareSource as his/her MCO. Then the person would sign up for a Medicare supplement, preferably with a company other than United or CareSource. (Get the supplement enrollment done before December 7.) If the person can't get a Medicare supplement (most likely because of health issues,) then the person should look for the Advantage Plan that fits best with his/her needs. (The person should look for coverage of the prescription drugs that the person uses and participation of the person's doctor.)

If the person got a Medicare supplement or an Advantage Plan from a company other than United or CareSource, then the person should choose an MCO (United or CareSource) whose provider lists for the My Care Ohio program is best for the person's situation. If the person DID get a Medicare supplement or Advantage Plan from United or CareSource, then the person should choose the other company as his/her MCO if at all possible.

Then, the person should tell Ohio Medicaid that he/she chooses to OPT OUT of Medicare's participation in My Care Ohio.

After taking these steps, the person's doctor is paid by someone other than the MCO and would be immune (as much as possible) to perceived pressure from the MCO to acquiesce to questionable care decisions.

Remember, in this fourth year of My Care Ohio, the program assumes that Medicare will be opted into My Care Ohio. You must take steps to notify the program that you choose to opt out for Medicare.

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 since the last newsletter

11-03-2016 Safer test for #DownsSyndrome during #Pregnancy <http://ow.ly/hMft305EWVL>

11-02-2016 Reducing #FamilyCaregiver #Stress <http://ow.ly/FpaC305FA2o>

11-01-2016 How #LongTermCareInsurance differs from #Medicare <http://ow.ly/G8Ms305F66i>

10-31-2016 #Medicaid move to #ManagedCare leads to more #LongTermCare at #Home <http://ow.ly/e5iQ305r8kh>

10-30-2016 #Medicaid after the #Election for #President <http://ow.ly/4ks4305r735>

10-29-2016 How #OlderAdults can keep fit #Mentally and #Physically <http://ow.ly/YTI4304wTRd>

10-28-2016 #Ohio #Medicaid changes rules for #Aged #Blind #Disabled program - Property Essential for Self-Support <http://wp.me/p47F09-nu>

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

11-15-2016 Jim Koewler will discuss Veterans Benefits that Help with Long Term Care at University Hospitals Elyria Medical Center in Elyria, Ohio. Continuing education credit is available for Certified Case Managers, social workers, counselors, and nurses.

12-9-2016 Jim Koewler will participate in a panel discussion on paying for post-acute care at a meeting of the CARE Coalition of Stark County at Mercy Health Center of Jackson, in Massillon, Ohio.

12-14-2016 Jim Koewler will discuss Medicaid Qualifying Asset Transfers as part of a National Business Institute Seminar on Medicaid Lookback Rules and Planning in Cleveland, Ohio. Continuing Legal Education credit will be available.

12-14-2016 The Koewler Law Firm will participate in the Senior Holiday Party organized by the Summit County Senior Sales, Administration, and Marketing Association at Saferstein Towers in Akron, Ohio.

1-25-2017 Jim Koewler will discuss the new requirements for Medicaid in Ohio to the Mandel Jewish Community Center lunch group at Warrensville Center Apartments in Warrensville Heights, Ohio.

3-23-2017 Jim Koewler will discuss what must be done at the time someone retires to prepare for the future at a meeting of the Portage County (Ohio) Senior Services Network.

5-26-2017 Jim Koewler will discuss Ohio's rules on Qualified Income Trusts (aka Miller Trusts) for people who need Medicaid to pay for long term care at a meeting of Eldercare Professionals of Ohio at Chippewa Place in Brecksville, Ohio.

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

Jim's available presentations

- Changes in Ohio Medicaid Eligibility Rules for 2016 (Continuing Education credit available for social workers, counselors, and nurses and has been requested for Certified Case Managers)
- ABLE accounts for people with Special Needs: Their Use and Misuse
- Ethical Issues in Case Management and Discharge Planning (Continuing Education credit and Ethics credit available for social workers, counselors, nurses, and Certified Case Managers)
- Veterans Benefits that Help with Long Term Care (Continuing Education credit available for social workers, counselors, nurses, and Certified Case Managers)
- Overcoming Seniors' Resistance to Long Term Care (Continuing Education credit available for social workers, counselors, and nurses)
- 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)
- 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 Final Arrangements (Continuing Education credit available for social workers, counselors, and nurses)
- Elder Law: A Primer (Continuing Legal Education credit available)
- Protecting your Money when you need Long Term Care and Essential Estate Planning Considerations (with free living wills for up to 20 audience members)
- Health Insurance for Families: The Affordable Care Act ("ObamaCare,") Medicaid, and Medicare
- Myths about Long Term Care Costs
- How to help your Parents Manage their Affairs
- Legal Lessons for Life

Upcoming meetings

11-09-2016 Medina County Senior Services Network, Medina Recreation Center, Medina, Ohio, 8:00 a.m.

11-09-2016 Summit Senior Sales, Administrators and Marketers Association, Hudson Elms, Hudson, Ohio, 2:30 p.m.

11-10-2016 Lorain County Senior Services Network, St. Mary of the Woods, Avon, Ohio, 8:30 a.m.

11-15-2016 UH Bedford Medical Center Senior Network, Village of Marymount, Garfield Heights, Ohio, 8:30 a.m.

11-16-2016 Professional Association Specializing in Seniors ("PASS"), Lantern of South Russell, South Russell, Ohio, 8:30 a.m.

11-18-2016 Eldercare Professionals of Ohio, Cornerstone of Hope, Independence, Ohio, 9:00 a.m.

11-21-2016 Medina County Senior Services Network's Education Committee, Tres Potrillos, Medina, Ohio, 11:30 a.m.

11-22-2016 Summit County Senior Services Network, Kucko Anthony Kertesz Funeral Home, Akron, Ohio, 8:00 a.m.

11-22-2016 Professional Networking Group, Montefiore, Beachwood, Ohio,
9:00 a.m.

11-22-2016 Wayne Holmes Senior Service Coalition, Wayne County Care
Center, Wooster, Ohio, 8:30 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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