



Families Tell Their Stories About Medicaid

Elder Law Attorney Helps Family Navigate Complicated and Confusing Medicaid Regulations

When Huntington's disease struck several members of her Michigan family, Angela Denavarre talked with doctors and local health officials looking for guidance on how to finance the expensive treatment for her children. She was often referred to complicated and confusing regulations that govern Medicare and Medicaid eligibility.

“Without Patti, I never would have gotten through this.”

“One day I saw a story in the local newspaper that was an interview with attorney Patti Dudek,” Ms. Denavarre said recently. “I called and she helped me get a children's' Medicaid waiver and establish a special needs trust for my 10-year-old son, Anthony.

“Anthony was able to get services at my home and lived independently until he passed away.”

Anthony's father Ed also contracted Huntington's and the special needs trust provided end-of-life care for him and for two more children — Katie and Edward Jr. who had also contracted the disease.

Ms. Denavarre credits Elder Law attorney Patricia E. Kefalas Dudek of Farmington Hills, Mich., as the one person who provided clear and effective counsel during what was a troubled time for her and her family.

“Without Patti Dudek, I never would have gotten through this,” she said.

Ms. Dudek praised the courage of Ms. Denavarre and her family.

“Through the use of legal and ethical Medicaid planning, we were able to improve the quality of care for several members of her family,” Ms. Dudek said. “We were able to avoid institutionalization and save our state thousands and thousands of dollars.” ■

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What Happens When I Can No Longer Provide the Care My Mother Needs at Home?

Elisa Baird-O'Brien of Wilbraham, Mass., provides care to and lives with her mother who suffers dementia, diabetes, and other disorders.

"I am able to provide the level of care that my mother requires right now," Mrs. O'Brien said recently. "But I am concerned about some future situation in which my mother requires a level of care beyond what I can provide at home, perhaps a nursing home."

"Mr. Darling was wonderful and our family is so grateful..."

Mrs. O'Brien said her mother, her three sisters, and she met with her mother's attorney Hyman Darling of Springfield, Mass., to explore what needed to be done to prepare for any increased needs.

"That meeting opened the door to so many terms that were not familiar," Mrs. O'Brien said.

"Mr. Darling was wonderful and our family is so grateful to him for helping us understand the neces-

sary steps to ensuring quality care for my mother in the future while at the same time protecting her assets."

Elder Law attorney Darling, a NAELA member, said he is often contacted by families who want to know the legal/ethical ways of navigating government regulation and confusing jargon and paperwork.

"No one experiences this more than once or twice in their lifetime and circumstances vary so it is important to involve someone who is well-grounded in the law and various pertinent regulations," said attorney Darling. "As an attorney, I take great satisfaction in helping clients who want to follow the right course of action but are unable to decipher the governing law and regulations. I help them understand legal/ethical solutions to problems and confusion surrounding their unique situation.

"I consider it some of the most important work I do and it accounts for a substantial portion of my practice." ■

Caught Up in a Maze of Regulation, Paper Work, and Red Tape

Joyce Derby still shudders when she talks about the lengthy and confusing process that swirled around her Illinois family when she first applied for Medicaid for her husband Bruce. He suffered a stroke in 2011 and had diabetes and high blood pressure.

"All of this became way too much for us to handle," Mrs. Derby said recently.

That was until she contacted Elder Law attorney Dawn Weekly, a NAELA member in Sandwich, Ill. Weekly immediately started several activities in motion -- she went into court to get an adjustment for the spousal allocation of Medicaid and helped Mrs. Derby create a trust that now holds the family's house and other accounts.

Attorney Weekly also made contact with the Office of Inspector General in an effort to expedite an already lengthy process and get the Derby family the sort of immediate assistance that Mr. Derby's deteriorating health required.

"We took steps that, of course, were legal and ethi-

cal," said Ms. Weekly. "But we made sure deadlines were met, information was provided in a timely and responsive manner, and the momentum was established to get this resolved."

"I don't think I would have ever gotten this done without Dawn's help," said Mrs. Derby.

Attorney Weekly said Mrs. Derby's case was complicated and time-consuming but not that unusual.

"I don't think I would have ever gotten this done without Dawn's help."

"Elder law is about 80 percent of my practice and it gives me great satisfaction to help people who feel caught up in a maze of regulation, paper work, and red tape," said Ms. Weekly. "Often these people have nowhere else to turn as they navigate this complicated process. I'm glad I am here to help." ■