

# 2019 Texas NAELA Summer Conference

## July 31, 2019 • Moody Gardens • Galveston, TX

### Wednesday Afternoon, July 31, 2019

**Presiding Officer:**

**Paul Premack**, The Premack Law Office - San Antonio, TX

10:30 am	<b>Registration Opens</b>
11:00 am	<b>Board Meeting</b>
12:00 pm	<b>Meet the Board: Wednesday's New Members' Lunch</b>  New to TX NAELA? Meet current members at this informal luncheon mixer.

#### General Sessions

1:15 pm 0.75 hr	<b>Medicaid for Kids</b>  Get an overview of Medicaid programs for minors in Texas, includes challenges, strategies and planning opportunities.  Christina Leshner, The Law Office of Christina Leshner, PC - Houston, TX
2:00 pm 0.50 hr	<b>Distributions from SNTs: What is Allowed and When?</b>  A major and very important duty of a SNT trustee is to administer the trust in a way that does not interfere with the trust beneficiary's eligibility for public benefits. This program will discuss (1) considerations to evaluate each distribution request; (2) many examples as to how you may and may not use the SNT to provide for the beneficiary; and (3) some alternatives to consider.  Lori Lynn Noack-May, Cadence Bank, NA - Houston, TX
2:30 pm 0.50 hr	<b>Lawyers and Ombudsmen - Advocating Together for Residents' Rights</b>  As required by the Older Americans Act, each state has a Long-Term Care Ombudsman Program (LTCOP) that addresses complaints and advocates for improvements in the long-term care system. The Texas Long-Term Care Ombudsman Program, which is independent within the Texas Health and Human Services Commission, works to improve the quality of life and care for residents of nursing and assisted living facilities by providing prompt, informal complaint resolution and promoting systemic change on behalf of residents' interests. Explore how lawyers and ombudsmen can advocate for long-term care facility residents' rights.  Suzanne Mitchell, JD, Nursing Home Policy Specialist, Office of the State Long-Term Care Ombudsman, Texas Health and Human Services - Austin, TX
3:00 pm 0.50 hr	<b>Health Care Public Policy Issues</b>  Hear a highlight of the latest public health policy issues, including HHS Religious Freedoms for Healthcare Workers; Surprise Bills from Out of Network Providers; Prescription Crises: Not Just Costs Anymore; and Texas Health Care Bills of Note.  Kathy C. Elder, Attorney at Law - San Antonio, TX

3:30 pm	<b>Break</b>
3:45 pm 0.50 hr	<b>Office Practice: Unusual Signing Scenarios and Procedures</b>  <p>In these litigious times, it is crucial that signing procedures comply with all applicable laws. This is especially true when a client has the mental capacity to sign but is physically unable to do so. This presentation will cover execution ceremony scenarios that are governed by specific statutes, as well as those that aren't - such as marks, stamps, and Xs.</p> <p>Randy Drewett, Attorney at Law - Beaumont, TX</p>
4:15 pm 0.50 hr ethics	<b>Aging or Impaired Attorneys: How to Step Away from Law Practice, and When?</b>  <p>A growing number of attorneys are practicing until very late in life and encountering cognitive and other disabling impairments that may lead to the end to wind down a practice. This presentation covers some of the most important considerations involving this subject, including some suggested processes for handling the issue.</p> <p>Chris C. Ritter, Texas Lawyers' Assistance Program, State Bar of Texas - Austin, TX</p>
4:45 pm 0.50 hr 0.25 hr ethics	<b>Diminished Capacity: Potential Clients and Existing Clients</b>  <p>Explore the ethical and legal issues faced by an attorney when engaging a new client or working with an existing client. Also, address specific elder law planning techniques and how a client with diminished capacity might impact that planning.</p> <p>John R. McNair, J. McNair Dallas Law P.C. - Dallas, TX</p>
5:15 pm	<b>Pick Up Dinner</b>  <p>Join your colleagues for dinner and drinks.</p>

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#### Medicaid Planning Workshop (limit of 24 registrants)

1:15 pm 2.25 hrs 0.75 hr ethics	<b>Medicaid Planning Nuts and Bolts - A Case Study</b>  <p>This is a full-day Workshop, in three parts, intended for those who are new to Medicaid planning and are having trouble getting started and putting the pieces together. It will be a hands-on, interactive case study from the initial client call to the gathering and interpretation of information, the Medicaid application, correspondence with HHSC, and the possible appeal.</p> <p>Moderator: Cathy Kim Fowlkes, Fowlkes Law Firm, PC - Abilene, TX Panelists: Kelley M. Bentley, The Bentley Law Firm - Houston, TX Danielle Feick, Fowlkes Law Firm, PC - Abilene, TX Lori A. Leu, Leu &amp; Peirce - Plano, TX Sally A. Mirabella, Sally Mirabella Law, PLLC - The Woodlands, TX</p>
3:30 pm	<b>Break</b>

3:45 pm 1.50 hrs	<p><b>Medicaid Planning Nuts and Bolts - A Case Study</b></p> <p>Continuation of the full-day Workshop, in three parts, intended for those who are new to Medicaid planning and are having trouble getting started and putting the pieces together. It will be a hands-on, interactive case study from the initial client call to the gathering and interpretation of information, the Medicaid application, correspondence with HHSC, and the possible appeal.</p> <p>Moderator: Cathy Kim Fowlkes, Fowlkes Law Firm, PC - Abilene, TX</p> <p>Panelists: Kelley M. Bentley, The Bentley Law Firm - Houston, TX Danielle Feick, Fowlkes Law Firm, PC - Abilene, TX Lori A. Leu, Leu &amp; Peirce - Plano, TX Sally A. Mirabella, Sally Mirabella Law, PLLC - The Woodlands, TX</p>
5:15 pm	<p><b>Pick Up Dinner</b></p> <p>Join your colleagues for dinner and drinks.</p>

## Wednesday Evening, July 31, 2019

5:15 pm	<p><b>Thank you to our TX NAELA Dinner Sponsor</b></p> <p>Cadence Bank</p> 
5:35 pm	<b>Annual Meeting, Election of Officers and Member Recognition</b>
	<b>Wednesday Evening Dinner (Included in Registration)</b>
	<b>Wednesday Dinner Additional Non-Registrant Guest \$75</b>
6:20 pm	<b>Return to General Sessions and Medicaid Planning</b>

### General Sessions

6:30 pm 0.75 hr	<p><b>VA Pension Rules (A&amp;A)</b></p> <p>A discussion relating to the comprehensive changes that went into effect October 18, 2018 relating to VA Non-Service Connected Disability Pension Benefits. The presentation will explore eligibility requirements, the differences between VA Benefits and Medicaid Benefits, and the planning techniques that Elder Law attorneys should be aware of when advising their clients on public benefits.</p> <p>Lori A. Leu, Leu &amp; Peirce - Plano, TX Erin W. Peirce, Leu &amp; Peirce, PLLC - Plano, TX</p>
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7:15 pm 0.75 hr	<b>Medicaid Planning for Couples</b>  Focus on planning for couples needing Medicaid. It will look at the differences between spousal impoverishment and non-spousal impoverishment programs, determine asset protection strategies, and evaluate the effects of various living arrangements on eligibility and asset limitations.  Jennifer L. Coulter, Townsend Allala, Coulter, & Kludt, PLLC - El Paso, TX
8:00 pm	<b>Adjourn</b>

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