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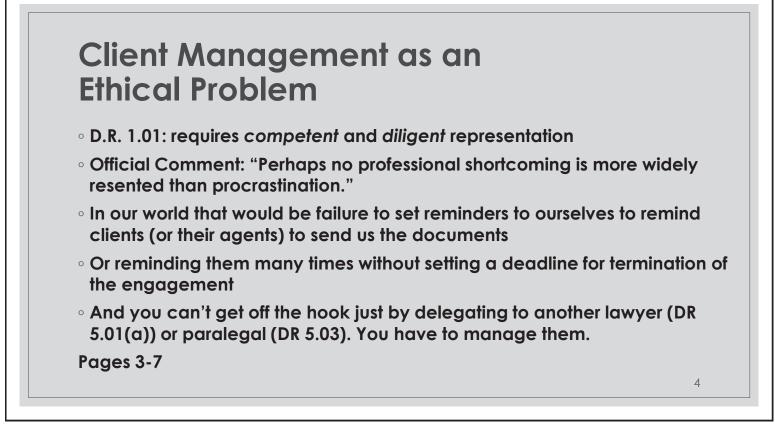
Any Home Purchased <u>After</u> Nursing Facility Admission is a Resource

- Burt Case, Texas Supreme Court: "We hold that a "home" is the applicant's principal place of residence before the claim for Medicaid assistance arises, coupled with the intent to reside there in the future."
- This did not involve a <u>replacement</u> home. Settled policy permits sale and replacement of a home after nursing facility admission.
- "Texas' methodology for determining income and resource eligibility must be 'no more restrictive than the methodology...under the [federal] supplemental security income program."

Pages 1-2

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	of Lack of Diligence &	
Compe	erence	
 Lawyer disbase engagement 	arred for failing to draft a will for client who died 8 t began	3 months after the
• Lawyer inde	initely suspended for failure to make will change	es
-	plined for advising agent to make transfers to sel en not permitted by the power of attorney	f for Medicaid
diligence ar plan underto the lawyer s	"Lawyers should take care to prepare promised d to be vigilant in following up with their clients to ken (i.e., send follow-up letters and perhaps plac hould be careful to document the steps taken to ecially if the client is in obviously poor health."	o complete the esta ce phone calls). Als
Pages 6-7		

Managing	g Client I	xpecta	tions	
 Say early and o flat." 	iten: "Leave ou	t one ingredie	nt and the cake	will fall
• Include client re	quirements in t	he Represento	ation Agreement	
• Set reminders fo	r yourself to ren	nind the client	ł	
• See Appendix 5	for sample rem	inders to the	client	
Pages 7-8				
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Also available as part of the eCourse <u>Medicaid Planning: What You Need to Know (2024)</u>

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