



Advanced Medi-Cal Planning Live Webinar Agenda

April 18-20, 2017
12:00 p.m. – 2:00 p.m. PT

Day 1 – Tuesday, April 18, 12:00 p.m. – 2:00 p.m. PT

Laws change, clients move to different states, and a person's health can fail without warning. These are all reasons to talk to clients about protecting their home and other important assets before it's too late.

- I. Understanding the Impact of DRA on Medi-Cal Rules**
- II. Medi-Cal Recovery and Changes to Law under SB 833**
- III. Understanding the Importance of Planning Before a Crisis Strikes**
 - a. Foundational Documents – Powers of Attorney with special Elder Law Language
- IV. Elder Law Ethical Considerations**
 - a. Capacity Issues
 - b. Joint Representation
 - c. Undue Influence
 - d. Capacity Evaluations
- V. Planning Before the Crisis vs Crisis Planning**
 - a. Planning Strategies for Single Persons
 - b. Planning Strategies for Married Persons
- VI. Non-Trust Based Medi-Cal Planning**
 - a. Petition to Court to Increase CSRA
 - b. Petition to Court to Increase MMMNA
 - c. Limited use of Short Term Annuity

Day 2 – Wednesday, April 19, 12:00 p.m. – 2:00 p.m. PT

Gifting assets away to another person has many negative consequences, some of which are tax related. This session will cover the characteristics of an irrevocable grantor trust and the specific options that are "must-haves" to be effective as an asset protection tool for seniors.

- I. The Role of Irrevocable Trusts in Medi-Cal Planning**
- II. Theory Behind Medi-Cal Asset Protection Trust**
 - a. Federal Law
 - b. State Law

- c. Medi-Cal Regulations
- III. Understanding Fundamental Questions when Planning**
 - d. Single or Joint Trust
 - e. Income to Grantor
 - f. Lifetime Beneficiaries
 - g. Grantor Trust Provisions
 - h. Choice of Trustee
 - i. Trust Protector
 - j. Grantor Retained Rights
 - k. Residuary Beneficiaries
- IV. Designing and Drafting an Effective Irrevocable Trust**
 - a. Client Interview Worksheet
 - b. VA vs. Medi-Cal Irrevocable Trust

Day 3 – Thursday, April 20, 12:00 p.m. – 2:00 p.m. PT

Once the Medi-Cal Asset Protection Trust is drafted, who does the funding? Who assists the trustee to make sure the trust is properly administered? This session will address these questions.

- I. Funding a MAPT and the Procedures**
 - a. Appropriate Assets for Funding MAPT
 - b. Personal Residence
 - c. Special Assets – Annuities, Second Property, etc.
 - d. Gifting Charts
 - e. Fractional Deed Gifting
 - f. Due on Sale Clauses when Gifting Encumbered Assets
 - g. Beneficiary Designations
 - h. Reporting to Medi-Cal
 - i. Tax Returns
 - j. Property Tax Implications
 - k. Funding Post DRA
- II. Trust Administration During Life of Grantor**
 - a. Fiduciary Duties
- III. Trust Administration on Death of the Grantor**
 - a. 16061.7 Notices
 - b. Accounting and Report vs. Report
 - c. Right to Information
 - d. Principal and Income Issues
 - e. Notice of Proposed Action
 - f. CA Probate Code Section 17200 Petitions
- IV. Various Planning Hypotheticals**