

Southcoast Seniors

Rhode Island’s ‘Medicaid 2.0’ is Announced

In November, 2016, Rhode Island Governor Gina Raimondo announced that the federal government had awarded Rhode Island nearly \$130 million over the next five years to change how Medicaid pays for care and to train its health care workers.

Raimondo, pitching this as “Reinventing Medicaid 2.0”, states that this money will be used to “reshape” how the state manages its health insurance program for low-income residents. The Medicaid money, however, is a one time investment which means the State will need to spend this money wisely.

Secretary of Health and Human Services Elizabeth Roberts commented that the federal funds will be used to accomplish a number of needed reforms and “is going to really transform how we meet the needs of Rhode Islander’s and improve their health.”

According to Roberts, about five percent will go to training initiatives but the bulk of the money will be devoted to rebuilding the state’s infrastructure in order to reshape how health care is being delivered.

Roberts stated that the upfront investment of the money will be used to underwrite the cost of installing electronic health records in the state’s nursing facilities. In addition, \$20.5 million of the money will be used to fund a Medicaid high quality care incentive program for hospitals and nursing homes but will be phased out quickly and not be permanent.

Earlier this year, the state proposed another Medicaid cut drawing the ire of Nursing Home Association spokeswoman Virginia Burke, who complained that the state already spent less than it should be on the frailest patients.

Congressman David Cicilline sees light at the end of the tunnel with this investment. He stated that Rhode Island will be “an example” that its Medicaid system, “when administered properly, can produce good results.”

We all hope for good results.

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Special points of interest

- Learn how your life insurance policy can have an impact on your taxes after death on Page 4.
- How a new law in Connecticut fixes an old problem with third party acceptance of powers of attorney. Read this on Page 5.



Why Do I Need To Plan My Estate?

Because humans have the ability to think and understand that the life cycle has an end, we want to plan what's best for those who survive us. We don't, however, want to dwell on our death. But if we wait until it is too late, we run the risk that our intended beneficiaries may not receive what we intend them to get.

Estate planning allows you to ensure that your property and goods go to those you choose. It allows you to save as much as possible on taxes, court costs and attorney fees while allowing your loved ones to mourn without being burdened by looming legal battles.

Estate planning needs to include two very important legal tools - a **durable power of attorney** and a **will**.

The first is for managing what you own even when you are unable to do it yourself. The second helps manage and distribute your belongings after death.

Revocable (Living) trusts are also being used more frequently to avoid probate and to manage estates during your life and after you're gone.

Planning your estate is the ultimate act of love and respect for those you leave behind.

Estate planning allows you to ensure that your property and goods go to those you choose

Meet Our Team



Christina Howland
Senior Paralegal

As Senior Paralegal, Christina is supervises a team of paralegals as well as providing the necessary legal documents and case preparation for the legal team at Connolly Law. Having decades of experience, she is a highly valued and respected member of the firm.

Spotlight on RJ Connelly III, Esquire



Attorney RJ Connelly III, Esquire, managing Attorney at Connolly Law Offices, Ltd. is widely regarded as one of the finest Elder Law Attorneys in New England.

Attorney Connelly has garnered multiple awards for his service to and work with the elderly. In December of 2016, he was honored by the American Institute of Legal Counsel (AIOLC) as one of the Ten Best Estate Planning Attorneys. Membership in the AIOLC is an exclusive honor extended to a select few who have reached the top of their profession.

In November, 2016, Connelly was selected for inclusion in the 2017 Who's Who directory of Top Attorneys in North America. Attorney Connelly also received the "Hero's Award" from the Alliance for Better Long-Term Care for his "unselfish dedication and service in protecting seniors and their rights".

Kathleen Heren, Executive Director of the Alliance, called Connelly, "Kind, generous and ethical...willing to do anything for the residents, you couldn't ask for a better guy!"

Attorney Connelly has offices in Pawtucket, Rhode Island and Mystic, Connecticut and is a member of the Rhode Island, Connecticut and Massachusetts Federal Bar Associations. He is designated a Certified Elder Law Attorney by the National Elder Law Foundation and is a member of the National Academy of Elder Law Attorneys.



"We are committed to providing the finest and most professional rep payee services".

Representative Payee Services



Alycia Drake, Financial Coordinator at Connelly Law

"As a result, we are there to help them navigate a system which at times can be overwhelming and frustrating."

This service is operated under the regulations of the Social Security Administration and has the responsibility to assure that clients disability income is spent on essential needs such as housing, food, clothing and medication.

"Referrals are accepted by our staff", explained Attorney Connelly, "who then do an application with the client that includes developing a monthly budget with them and providing a money transfer card to assist them in budgeting their funds."

To learn more about this service, call Connelly Law at 401-724-9400.

The fiduciary department at Connelly Law Offices, Ltd. provides representative payee programs for the most vulnerable members of our society - the young, the elderly and those with disabilities.

At Connelly Law Offices, we are passionate about the smallest and most unique details of our clients' situations and are committed to providing the finest and most professional representative payee services.

"What we have seen is that many of our seniors or client's with disabilities become victims of exploitation or interruptions in their benefits", said Alycia Drake, Financial Coordinator at Connelly Law Offices.

Meet Our Team



Alan Barnes
Attorney At Law

Attorney Barnes practices in the areas of Elder Law, Trusts, Criminal Law and Personal Injury.

He is a member of the Armed Forces Legal Project, providing free legal services to members of our military and a member of the criminal law and probate committees, working collaboratively with members of the Rhode Island Judiciary in order to facilitate the application of rules and procedure.

Attorney Barnes has served as a volunteer judge on Rhode Island's first "Teen Court" and offers counsel and representation to the homeless.

He has significant teaching experience at the secondary and post secondary education level in Rhode Island's Public School system.

Attorney Barnes has also served as a Vice President at the Children's Shelter of Blackstone Valley during the 1990s.

An Aging Rhode Island

When it comes to an aging citizenry, Rhode Island ranks among the top states in the country.

For residents 50 and older, nearly one third of its population (30.2%) fits that category ranking it 9th in the nation.

Those people 55 and older, 23.6% of its population meets that criteria, again ranking 9th in the country.

Rhode Island boasts 18.2% of its population over 60, attaining a rank of 8th in the nation.

Residents 65 and older make up nearly 14% of the population, also ranking it 8th in the nation.

11% of the population is 70 and older, making Rhode Island 6th in the nation.

Rhode Island is 4th in the nation for residents over 75, coming in at almost 8% of its population.

And for residents over 85, the State ranks as 5th in the nation with 2% of the population



Avoiding Life Insurance Taxes After Death

Your life insurance can affect your estate tax.

As an owner of an insurance policy, it will become a part of your estate after your death. Although spouses can transfer assets to each other tax free, any other beneficiary - including children - will face a tax as part of the estate.

Avoiding the life insurance tax can be done by simply transferring the policy to another person or placing it in to a trust. If such an action is taken, you will no longer own the policy and cannot change the beneficiary. In such cases, it is important to have full trust in the individual that they will not cash in the policy. There may also be gift taxes involved.

A better option may be to transfer the policy to a life insurance trust. In this case, the trust controls the beneficiary and owns the policy.

Contact Connelly Law Offices, Ltd. at 401-724-9400 to discuss what may be in your best interest.



Life Insurance proceeds can be taxable

Martha's Vineyard Community Services

As a resident of Oak Bluff's and in touch with the island's many seniors, Attorney Connelly continues to be impressed with the multiple services offered by MCVS' Island Counseling Center as part of their Elder Behavioral Health Program.

"Besides offering individual and couples therapy, they have a program called CORE, which is a home based outreach counseling program for seniors who are unable or reluctant to go to the center for services", stated Attorney Connelly. "Too many of our seniors are forgotten about and this service is sorely needed."

MVCS is located at 111 Edgartown Road in Oak Bluffs and can be reached by telephone at 508-693-7900.

Southcoast's Silver Alert Program

We are living at a time when the population of the United States is aging. It is projected by the year 2050, nearly 70 million Americans will be over the age of 65.

With this aging population comes the risk of Alzheimer's Disease, dementia and impairment. Massachusetts, Rhode Island and Connecticut all have Silver Alert programs designed to locate missing seniors who may wander off and become lost.

Modeled after the Amber Alert system which alerts law enforcement officers and the general public to the abduction of children, the Silver Alert system utilizes the media, roadway signs and the Emergency Broadcast System to inform the public of missing seniors.

It is our responsibility to keep our seniors safe.

Connecticut Act Addresses POA Issues

A major shortcoming of Powers of Attorney (POA) in Connecticut was that there existed no requirement for third parties to honor them. This, obviously, was a major problem as POAs are created for those granted that power to manage accounts on behalf of the account owner when they are incapacitated.

Many financial institutions refused to recognize these powers unless they were drafted on that institution's own POA forms, an act aimed mainly at providing an indemnity for that institution. This activity stood in the way of the person with the POA when it was needed the most.

The new Connecticut Uniform Power of Attorney Act addresses this issue by putting into place penalties for those financial and other institutions that refuse to recognize valid POAs.

The new law clearly states that if a POA is acknowledged by a notary or an attorney, it is presumed valid and the third party may rely upon it.

This act helps to minimize delays for those needing to exercise POAs.



“Addiction in the elderly mimics other medical and mental health conditions such as diabetes, dementia and depression.”

Elder Drug Abuse - A Growing Problem

When drug addiction is usually spoken about, a senior citizen does not immediately come to mind. But a look at the numbers can tell a different story.

In this country, nearly 40% of prescription drugs are sold to seniors to treat everything from chronic pain to insomnia. Many of these drugs develop a tolerance, usually faster and with more serious consequences, in older Americans.

One of the main problems with addiction in the elderly is that it mimics other medical and mental health conditions such as diabetes, dementia and depression.

Studies have indicated that seniors have increasingly turned to street drugs over the past decade but the major concern is still with prescription medication abuse.

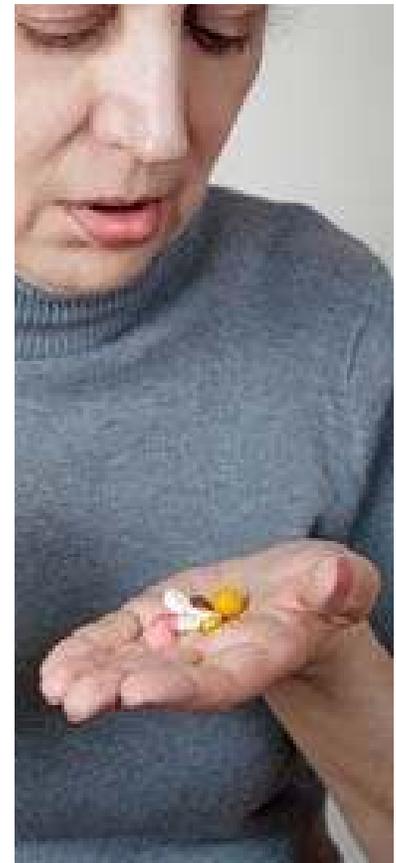
Benzodiazepines like Valium and Xanax, often prescribed for anxiety and opiates

like Percocet or Oxycodone prescribed for pain are often mixed with alcohol. Together these substances have a synergistic effect in terms of morbidity and oft times mortality.

Behavioral changes are also present in senior drug addiction. These changes include memory problems, sleeping difficulties, unexplained bruising (from falling), changes in eating habits, poor personal hygiene and a lack of interest in normally enjoyable activities.

Connelly Law Offices, Ltd. offers a live, interactive training workshop called **“Senior Substance Abuse - Identification and Treatment”** presented by a licensed substance abuse counselor for staff, patients and families at nursing homes, senior centers and other elder care facilities.

Contact us at 508-724-9400 to schedule this workshop for your facility.



Connelly Law Offices, Ltd.

Connelly Law Offices, Ltd. is an elder law firm specializing in estate planning and probate law as well as a variety of fiduciary services. Attorney Connelly is 1 of less than 500 Certified Elder Law Attorneys in the Country, 1 out of less than 25 in the Commonwealth of Massachusetts, 1 out of 11 in the State of Connecticut and only 1 out of 5 in the State of Rhode Island.

The Importance of a Will

If a person dies with a will in place, the Executor in the will goes to the local clerk of court and asks the court to authorize the Executor's administration of the estate. This is called the probate process. It is informal but can be complicated as beneficiaries are determined, creditors are paid, tax documents are filed and sometimes, the will is contested leading to a more formal process.

Dying without a will leads to a process called intestate where the court steps in and authorizes all actions. This leads to more legal involvement, more red tape and more publicity.

Without a will, the person has no input into the distribution of property as the state steps into your shoes and makes all of the decisions for you. In such cases, the court cannot deviate from the law and those who you wanted to benefit may end up with nothing.

This problem can be easily avoided with proper planning and advice from knowledgeable representatives. Connelly Law can assist you in keeping a difficult situation from becoming unmanageable. *Call us at 401-724-9400 for an appointment.*

Connelly Law Offices, Ltd.
372 Broadway, Ste. A
Pawtucket, Rhode Island 02860
401-724-9400

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