

Hoosier Hills Estate Planning Council
Continuing Professional Education Meeting

presents

**Guardianships for Incapacitated Adults and Long Term Care
and Asset Protection**

Lora Mount, JD
Voelz, Reed, & Mount, LLC

February 16, 2023





Hoosier Hills Estate Planning Council



The Hoosier Hills Estate Planning Council ("HHEPC") is an interdisciplinary organization for professionals involved in estate planning.

The purposes of the HHEPC are:

- (1) to promote cooperative efforts among all professionals in the field of estate planning represented by the members, always keeping in mind the best interests of their clients;
- (2) to engage in study, discussions, meetings, and additional activities which will continuously improve the services the members deliver to their clients;
- (3) to promote respect and understanding of the relationship among the professions represented by the members, and the role each serves on the estate planning team; and
- (4) to advance public knowledge of the concept of estate planning.

The Hoosier Hills Estate Planning Council provides education and networking opportunities to attorneys, accountants, insurance professionals, trust and investment managers and financial counselors in south central Indiana. HHEPC presents 2-hour programs four times a year in Bloomington, Nashville, and Columbus, Indiana on topics in estate, financial and trust planning. These programs are generally pre-approved for CE credits. After the presentations there is an opportunity to network with other professionals. New members are welcome at any time. For membership information contact Jessica Hidalgo at jhidalgo@blueandco.com or Joel Niese at joel.niese@germanamerican.com.

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Lora Mount, JD
Voelz, Reed, & Mount, LLC
Biography

Lora graduated from Indiana University Southeast with a degree in elementary education in 2001 and was a public school teacher for six years prior to earning her Doctor of Jurisprudence from Indiana University School of Law- Indianapolis in 2010.

Lora is a member of the National Academy of Elder Law Attorneys and was the President of the Indiana Chapter of NAELA from 2020-2021. Lora is a member of the Indiana Bar Association and its Elder Law and Probate, Trust, and Real Property sections and the Bartholomew County Bar Association. Lora serves as an executive board member for Heritage Fund- The Community Foundation of Bartholomew County where she is also the current chair of the development committee. Lora is also a member of the board of advisors for IUPUC and a member of the Riley Professional Advisor's Council.

Lora is a partner at Voelz, Reed, & Mount, LLC in Columbus, Indiana where she practices in the areas of estate planning, trust and estate settlement, and elder law.

HHEPC Presentation Outline

Guardianships for Incapacitated Adults and Long Term Care and Asset Protection

February 16, 2023

Presenter: Lora R. Mount

Course Description: This course is designed to educate attendees on the mechanics and functions of guardianships for incapacitated seniors, including determining when guardianships are appropriate and less restrictive alternatives to guardianships. This course will also explore the various government programs and private insurances available to seniors in need of long term care including but not limited to Medicare benefits, qualification requirements for Medicaid, Medicaid Waivers, and long term care insurance.

Course Objectives:

- Differences between guardianships and powers of attorney
- Least restrictive means in guardianships
- Appropriate uses of guardianships for incapacitated adults
- Medicare coverage for nursing home stays
- Medicaid benefits for long term care needs- rules and who qualifies
- Long term care insurance
- Alternatives to nursing home care for incapacitated seniors

Outline:

- A. Guardianships vs. Powers of Attorney
 - a. When is a POA enough?
 - b. Who can sign a POA and who cannot
- B. Mechanics of Guardianship
 - a. Court Process
 - b. Legal responsibilities of a guardian
- C. Least Restrictive Means
 - a. The Britney Spears case

D. Pros and Cons of Guardianships

E. Long Term Care

- a. What does Medicare cover re: nursing home care
- b. Long term care insurance/income sources
- c. The Myths of Medicaid
- d. Qualifying for Medicaid
 - i. Basic qualification rules
 - ii. Spousal vs. individual rules
 - iii. Options for planning ahead
 - 1. Irrevocable trusts
 - 2. Testamentary trusts for spouses