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## ELDER LAW MINUTE

As you may know, over the last few years, Georgia has made it considerably more difficult for future nursing home residents to protect their assets and qualify for Medicaid assistance. Whereas, in the past, it was quick and simple to convert excess assets into exempt resources, such as promissory notes, rental real estate, life insurance policies and bonds, under the new rules those assets generally count towards the \$2,000 resource limit for single applicants. There is even a limit of \$500,000 for exempt home equity for a single person under the new rules. So what can you do?

If you start planning at least five years before you need nursing home care, you can still protect all of your assets by giving them to your trustworthy children. And, your estate will not be subject to Estate Recovery upon your death since it will be worth less than \$25,000.

What if you are a procrastinator? You may have two years before you need care but definitely not five years. In that case, you could invest all of your assets in a new home. Your son or daughter can live with you there until you need nursing home care. As long as the care-giving child is with you for at least two years, you can give her the home (of any value) when you go into the nursing home without any transfer penalty. This is a way of protecting all of your assets in just two years.

However, if you are young and healthy, I recommend that you consider long-term care insurance rather than counting on Medicaid. Last year I became licensed to sell long-term care insurance and would be happy to assist the planners as well as the procrastinators.