

GWAAR

Elder Law & Advocacy Center

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Area Agency on Aging (AAA)
70 of 72 counties

- Elder Law & Advocacy Center
- Nutrition programs
- Transportation
- Advocacy
- Fiscal
- WI Senior Employment Program
- Veterans Self-Directed Program
- Health promotion
- Caregiver support
- Volunteerism

GWAAR Elder Law & Advocacy Center

- 4 attorneys supervise Elder Benefit Specialists (65 counties)
- 1 attorney manages WI Guardianship Support Center
- 1 attorney Elder Healthcare Advocate
- 1 paralegal
- Legal and paralegal externs
- Advocacy & Public Policy Coordinator
- OAA Consultant-- Elder Abuse



Elder Benefit Specialist



Elder Benefit Specialist

- Local presence in every county
- Clients age 60+
- No income limit for assistance
- Wide range of services offered
- Funded under Older Americans Act



EBS can help with:

- Medicare benefits & enrollment
- VA health insurance
- Employer/retiree health coverage
- Social Security benefits
- Burial trust funds
- Housing, eviction, repairs, accommodations
- Consumer law
- FoodShare
- Debt collection
- Scams, fraud
- Consumer protection
- Small claims court
- Energy Assistance
- FamilyCare, CIP, COP, IRIS

Medicare—Benefits Counseling

Turning 65 and Medicare coverage options:

- Advantage plan
- Supplement
- Drug Coverage
- Retiree coverage
- Should I take Part B or wait?
- Coverage denials
- Coordination of benefits issues



Client case examples

- SNF coverage denial after knee surgery and rehab
- One spouse unexpectedly goes into NH after stroke; other spouse cannot pay bills, maintain house
- Debt collection, harassment, wrong debtor
- Life insurance refusal to pay on policy
- Landlord threatens eviction
- Client with \$20,000 in unpaid medical bills



Client case examples

- Can an employer contribute to a HSA for person on Medicare?
- Divestment and estate recovery cases (Medicaid)
- Client has Medicare Advantage plan, but saw out of network dr
- Client working and taking SS early retirement, now has an overpayment
- Late enrollment penalty for failure to enroll in Medicare B or D
- Coverage denial for ambulance ride



Elder Benefit Specialist program

- **Clients work with EBS**

- Local, at county level
- 1:1 in-person assistance

- **Attorneys provide consultation through EBS**

- Case consult, legal research
- Write briefs, appeals
- Write letters to landlords
- Explain court procedures
- Represent clients at fair hearing

- <http://www.dhs.wisconsin.gov/benefit-specialists/counties.htm>



Benefits Check-up

- SSI, SSDI
- FamilyCare, IRIS, COP
- Medicaid card services
- Medicare Savings Programs
- Part D Extra Help/LIS
- SeniorCare
- Energy Assistance
- FoodShare



EBS do not assist with:

- Workers comp
- Unemployment insurance
- SSDI appeals
- Estate planning, probate
- Taxes
- Criminal law
- Family law
- Personal injury
- Bankruptcy
- Guardianship



Elder Healthcare Advocate



Elder Healthcare Advocate

- Atty consults with program attys, EBS & other professionals
- Helps navigate issues related to enrollment problems:
 - Marketplace appeals
 - Subsidy eligibility
 - BadgerCare+
 - Medicare



Case examples:

- Client's income is too high for BC+ *monthly* income limit, but too low for marketplace's *annual* income limit (gap filling or churning)
- Client's income higher/lower than expected → affects subsidy eligibility
- Client with Medicare Part A premium of \$407/mo may find cheaper coverage under marketplace. Eligible for subsidies?
- Client failed to disenroll from marketplace upon turning 65 and becoming eligible for Medicare
- Retroactive BC+ coverage necessitates retroactive marketplace disenrollment

WI Guardianship Support Center



WI Guardianship Helpline

- Statewide resource for consumers, APS, lawyers, guardians, POA agents
- Newsletter, publications, brochures
- Statutory, case research on adult guardianships 18+
- No case representation
- Free legal information (not advice)
 - Guardianships, protective placement/services
 - Powers of Attorney
 - Rights & duties of agents, principals, wards
 - Adv directives & DNR orders



WI Guardianship Support Center

Example calls:

- My mother is in a NH and tries to leave at night.
- My ex-spouse was my agent under my POA, can I cross off his name and nominate someone else?
- What can I do if I think my POA or guardian is stealing from me?
- Can a person under an activated POA revoke the POA, or write a new POA?
- Can a person under guardianship consent to an intimate relationship?
- Can a guardian consent to a DNR order for a ward?

Contact info

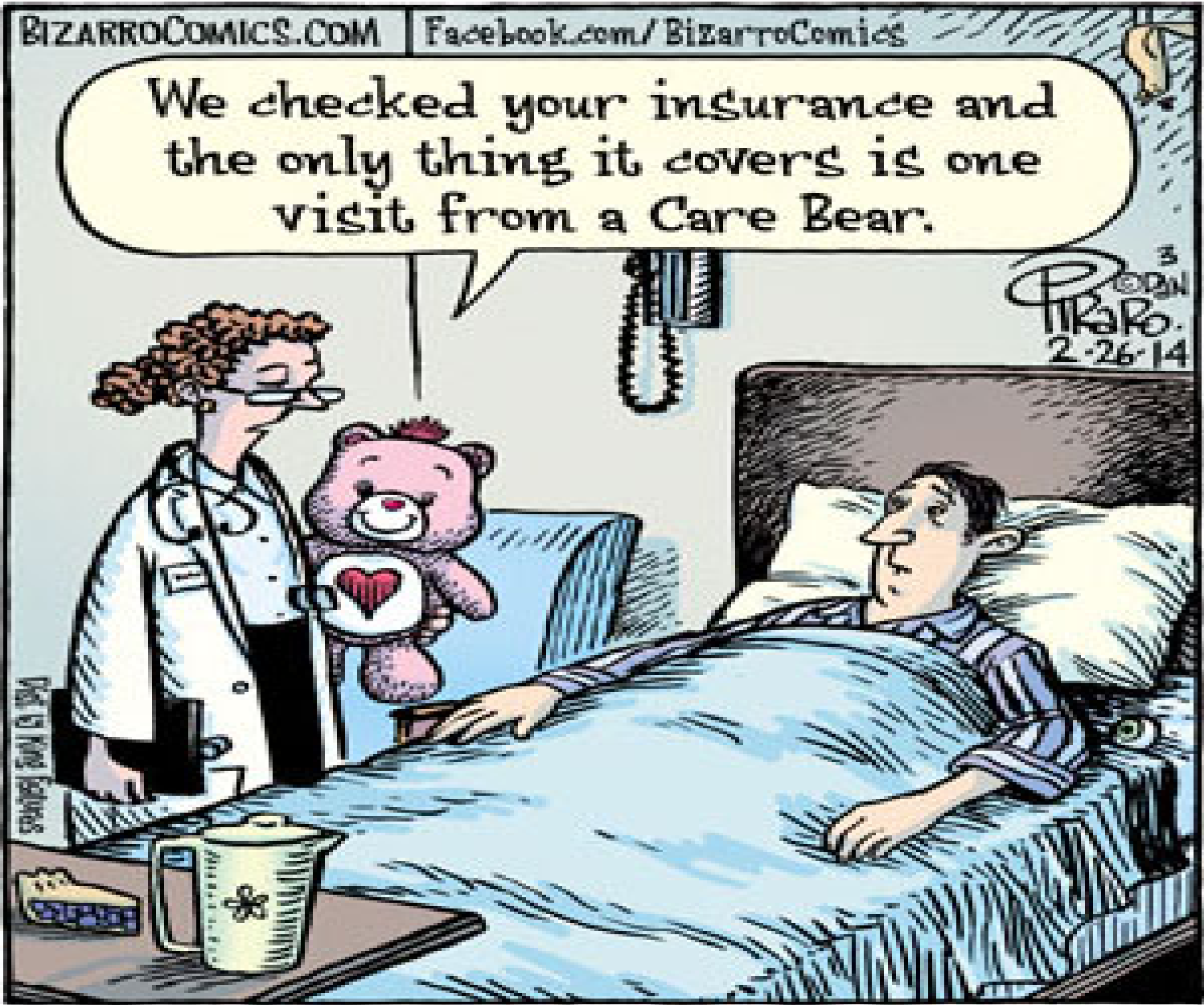
WI Guardianship Support Center

- Phone: (855) 409-9410
- Email: guardian@gwaar.org
- Fax: (866) 561-2652
- Website: gwaar.org/gsc



We checked your insurance and the only thing it covers is one visit from a Care Bear.

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P. ODN
Bizarro
2-26-14



SPRINGER BROWN IS BROWN