

# WHAT QUESTIONS SHOULD I ASK AN ELDER LAW ATTORNEY IN CALIFORNIA?

*“People sometimes procrastinate about certain responsibilities, and they fail to take action because they do not really know how they should proceed. This enters the picture when it comes to planning ahead for the eventualities of aging.”*



In fairness, when you are going through the different stages of life, your senior years can seem like they are a world away. However, time does fly, and before you know it, matters that are of interest to senior citizens may become quite relevant to you.

If you are looking for information about the eventualities that you may face during your elder years, you may want to discuss the future with an elder law attorney. These legal professionals are dedicated to the interests of seniors, and you should certainly act in an informed manner so that you can brace yourself for some of the challenges that elders often face.

In this paper, we will provide you with a bit of basic information as we provide a question-and-answer exchange. You can obtain comprehensive answers to these questions if you set up a consultation with a licensed elder law attorney in your area.

### **Will my retirement needs be met by Medicare and Social Security?**

It is true that most people will qualify for Medicare and Social Security. You obtain eligibility through the accumulation of retirement credits. In 2015, you get one credit for every \$1220 that you earn, and you can earn up to four credits in a year. Once you have 40 credits assigned to you, you will qualify for these programs when you reach the respective eligibility ages.

We are using “ages” in the plural because the eligibility age for Medicare is different than the eligibility age for Social Security. Everyone who is qualified becomes eligible for Medicare at the age of 65. Depending on the year of your

birth, you will qualify for your full Social Security benefit when you are between 66 and 67 years of age under currently existing laws.

These benefits will help, but the answer is no, all of your needs are probably not going to be met by Medicare and Social Security. The average Social Security payout is only \$1328 for an individual in 2015, and the average for a couple when both people are receiving a benefit is \$2176.

This amount of money is not going to get you on many cruises during your golden years, so you should certainly take steps to develop a nest egg and some added sources of income.

When it comes to Social Security, there are out-of-pocket expenses to contend with for covered treatments and services. These would include deductibles, co-payments, and monthly premiums.

### **Does Medicare pay for long-term care?**

The answer to this question is a resounding no. Medicare does not pay for nursing home care, because it is considered to be custodial care rather than medical or convalescent care.

### **Are nursing homes very expensive?**

That would depend upon your definition expensive, but most people would say yes. In California, the average charge for a year in a nursing home is around \$100,000.

## **Is there any government assistance available to people who need long-term care?**

Medi-Cal is the solution for many people. This is a government health insurance program that does pay for long-term care, but it is intended for people who have very limited financial resources. There is a \$2000 limit on countable assets.

However, people often give gifts to their loved ones before they apply, but it takes careful planning to do this effectively, because the program rules are complex.

### **Summary**

In this paper we have barely scratched the surface when it comes to the elder law questions that are on the table at the present time. There is a great deal to take into consideration, and you can find yourself in a difficult situation late in your life if you do nothing to prepare for the eventualities of aging.

If you are ready to take action, you can probably find a licensed elder law attorney in your community who will provide you with a free initial consultation. You can get to know your attorney at the meeting, and ultimately, you can work together to put a plan in place if you decide to go forward.

## References

United States Department of Health and Human Services

[www.longtermcare.gov](http://www.longtermcare.gov)

Genworth Financial

<https://www.genworth.com/corporate/about-genworth/industry-expertise/cost-of-care.html>

Social Security Administration

<http://www.ssa.gov/retire2/credits1.htm>

## About the Author



Attorney Caprice L. Collins is a top rated Harvard Law School graduate. She has 34 years of legal experience with a successful law practice devoted exclusively to Estate/Business Planning and Trust Administration. Attorney Collins is a well-respected keynote speaker on Wills, Living Trusts, Estate Planning, Business Planning and Trust Administration. She has appeared on California's Real Estate Radio Station KTLK AM 1150 as a legal expert on Estate Planning and Living Trusts among many other notable media appearances.

Attorney Collins has substantial experience in Estate Planning for high net worth individuals using Family Limited Partnerships and other business entities to provide Asset Protection to their families. She has assisted organizations in their fundraising efforts by authorizing articles for their publications and conducting free seminars to their donors on advance Estate Planning Strategies such as Charitable Remainder Trusts, Family Living Partnerships, Irrevocable Life Insurance Trusts and Qualified Personal Residence Trusts. She also provides FREE Seminars on Living Trusts, Asset Protection and Business Planning to civic, faith-based, professional and business organizations.

<b>INGLEWOOD</b> 3330 West Manchester Boulevard Inglewood, CA 90305  (310) 677-9787  <a href="mailto:clcfirm@aol.com">clcfirm@aol.com</a>  (310) 677-6742	<b>TORRANCE</b> 21250 Hawthorne Blvd., Ste 700 Torrance, CA 90503  (310) 677-9787  <a href="mailto:clcfirm@aol.com">clcfirm@aol.com</a>  (310) 677-6742	<b>LOS ANGELES</b> 13101 West Washington Bld., Ste 114 Los Angeles, CA 90066  (310) 677-9787  <a href="mailto:clcfirm@aol.com">clcfirm@aol.com</a>  (310) 677-6742
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