

## **Elder Law and Disability Rights Section Council Meeting**

**Barron, Rosenberg, Mayora & Mayora PC  
1301 W. Long Lake Rd., Ste. 340  
Troy, MI 48098**

**MAY 2, 2009  
10:00 AM - 12:00 PM**

On Saturday, May 2, 2009, the Elder Law and Disability Rights Section held a regularly scheduled Council Meeting from **10:00 a.m.** until **12:20 p.m.** at the Barron, Rosenberg, Mayora & Mayora Law Offices, Troy, Michigan, as well as via telephone conferencing.

### **MINUTES**

#### **I. INTRODUCTIONS**

Amy Tripp lead roll call. Those present in person were Amy Tripp, Caroline Dellenbusch, Dolores Coulter, Don Rosenberg, Roxanne Chang, Priscilla Cheever, Konrad Hittner, Brad Vauter, Art Malisow, Jackie Rygiel, Ward Wilson, Janet Bruss, and Matt Joswick. Those present via telephone were Bob Anderson, John Payne, Harley Manela, Josh Ard, and Paul Sturgul.

#### **II. APPROVAL OF MINUTES**

The minutes of the April 11, 2009 meeting were approved, as amended.

#### **III. TREASURER=S REPORT**

There was no Treasurer=s report available from the State Bar. As of March 30, 2009, the year to date ending fund balance was \$91,317.52

#### **IV. COMMITTEE REPORTS**

##### **A. Litigation Committee**

Bob Anderson presented the Litigation Committee Report. The Litigation Committee continues to work on the issue of adjusting the patient pay amount to cover pre-eligibility medical expenses. Currently there is a signed engagement letter with Rene Reixach and attorney Goodman. Council members are reminded

that we need to certify 40 litigants. Of the litigants, the focus should be on finding Eastern District Plaintiffs due to the location. The next Litigation Committee meeting will be on June 5, 2009 at 4:00 p.m. EDT.

**B. POLST Committee**

The POLST [physicians order for life sustaining treatment] Committee has a meeting. Bob Anderson is actively involved in this. It was noted that not all Jackson County attorneys are happy with the POLST form.

**C. Nursing Home Contracts**

Roxanne Change spoke to Brad Geller about this looking at model language which will be limited to financial eligibility issues.

**V. OLD BUSINESS**

**A. 2009 Spring Conference**

We are still waiting for information on the bills.

**B. 2009 Fall Conference**

Brad Geller is in charge of the program for the fall conference. Brad Geller has suggested that the theme this year be Health Care. Brad Vauter would like one presentation to be on debtor-creditor issues for the elderly. Also discussion of nursing home diversion program at the Fall Conference. Robert Fleming, a nationally known speaker, President of the National Elder Foundation, and member of the Board of Directors of NAELA, will be speaking at the Conference. Amy will be asking Robert if he could talk about qualified disability trusts language, perhaps also Medicare set-aside trusts, and baby-boomer trusts.

**C. Tax Free Savings Plans for Disabilities**

Allows money to be set aside for special needs. This is in Congressional Committee - ARC and other groups are interested in this issue.

**D. ALF Questionnaire**

ALF [Assisted Living Facility] We are waiting for information from Alison Hirschel on this matter.

## **VI. NEW BUSINESS**

### **A. Michigan LTC Booklet**

Brad Geller has a 50 page booklet on Long Term Care in Michigan. Would like the Section to help fund this with a donation of \$2,000. Brad will post the booklet Council members.

### **B. Veterans Programs**

Pat Bond was going to write a letter to the Veterans Administration bringing their attention the problem with certain groups who claim to be advocates for Veterans selling products which create problems for Medicaid eligibility.

## **VII. LEGISLATIVE UPDATE**

### **A. Blue Cross Blue Shield position**

Discussion as to whether or not the Council wishes to be a party to the groups objecting to the Blue Cross Blue Shield conversion. Since the issues of the other groups may not be the same as ours.

Amy Tripp concluded the meeting at 12:20 p.m. (EDT). The next meeting will be held on June 6, 2009 at Chalgian and Tripp Law Offices, PLLC, 1019 Trowbridge Road, East Lansing, Michigan 48823.

Respectfully submitted,

Paul A. Sturgul