

Outline .....

- 8:00 **Registration, Sign-In, & Course Materials (Morning Coffee & Tea)**
- 8:30 **GUARDIANSHIP ISSUES** Heather Poster  
• Guardianship of the Person, Estate & Conservatorship .75 ethics  
• Circumstances Where Guardianship/Conservatorship is Needed  
• Protective Placement
- ADVANCE DIRECTIVES**  
• Durable Financial Power of Attorney  
• Agent’s Fiduciary Obligations Under POA  
• Health Care Power of Attorney  
• Living Wills
- 10:00 **Break**
- 10:15 **ELDER ABUSE, NEGLECT AND EXPLOITATION** Carol Wessels  
• Wisconsin Law: Abuse, Neglect, & Exploitation .75 ethics  
• Protective Placement (and Comparison with Chapter 51 Commitment)  
• Mandatory Reporting
- 11:45 **Lunch (on your own)**
- 12:45 **MEDICAID PAYMENT FOR LONG-TERM CARE** Margaret Hickey  
• Care at Home & Facilities  
• What About Assisted Living Facilities?  
• Basic Eligibility Rules: Individuals & Couples  
• Treatment of Certain Assets: Home, Annuities, Trusts  
• Gifts: Transfer of Assets Rule  
• Applications, Fair Hearings, Court Reviews
- 2:45 **Break**
- 3:00 **MEDICAID: NEW DEVELOPMENTS**  
• What Rules Has Congress Changed?  
• Spousal Rights: Income & Assets  
• Marital Property Rules and How They Affect Benefits  
• Expanding Spouse’s Rights to Income and Assets  
• Estate Recovery
- 4:00 **Adjournment**

Objectives

- Communicate the powers and duties of a guardian.
- Evaluate the various advance directives and their applications.
- Assess Wisconsin abuse definitions, including self-neglect.
- Recap criteria for Wisconsin Medicaid eligibility.
- Articulate recent updates in Medicaid.
- Explain marital property rules and how they affect Medicaid benefits.

Target Audience:

Social Workers • Nursing Home Administrators • Nurses • Counselors • Admissions • Directors Case Managers  
Discharge Planners • Health Care Facilities • Financial/Business Office Managers • Patient Care Coordinators • Psychologists

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- Elder Abuse, Exploitation & Neglect
- Medicaid Payment for Long-Term Care
- Medicaid Updates

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If you provide services to geriatric populations, your organization faces a legal and regulatory maze. In order to understand the needs and concerns of patients and their families, and to provide appropriate services and referrals, you are expected to have a thorough understanding of common and complex issues related to advance directives, guardianship, elder abuse and exploitation, Medicaid eligibility, new developments – and more.

Ms. Wessels, Ms. Poster, and Ms. Hickey will provide current information that is crucial to understanding the legal and financial issues which impact the everyday aspects of providing health care services. You will leave this seminar with more confidence in care planning and case management of your geriatric patients.

## Speakers

**MARGARET W. HICKEY, JD**, practices in the areas of divorce, family law, and elder law including trusts for the disabled, Title 19 and guardianship. She is a shareholder in the law firm of Becker, Hickey & Poster, S.C., Milwaukee. She served as Chair of the Family Law and Elder Law Section Boards of Directors and is currently a member of both Boards. Margaret is a past president of the Milwaukee Bar Association (2004-05) and served on the Board of Directors from 1999-2005. She served on the State Bar of Wisconsin Board of Governors (District 2, 2005-2015, Chair 2006-07, Treasurer 2009-11) and on the Board of Directors of the Legal Aid Society and public radio station WUWM. Margaret lectures frequently on elder law and family law at local, state and national bar meetings and to community groups and other professionals. Margaret is a member of the American Bar Association, the State Bar of Wisconsin, the Milwaukee Bar Association, the Waukesha Bar Association, the National Academy of Elder Law Attorneys, the Association for Women Lawyers and is a Fellow of the American Bar Foundation and the American Academy of Matrimonial Lawyers (president for the Wisconsin Chapter, 2005-06.) She is named in the Best Lawyers in America for family and elder law. Margaret has been named as a "Super Lawyer," as one of the top 10 lawyers in the State of Wisconsin in 2012, as one of the top 25 women lawyers in the state, and a superlawyer in elder law in past issues and as a "Woman in the Law 2011." She is also a member of the American College of Family Trial Lawyers.

Speaker Disclosure:

Financial: Margaret W. Hickey is a shareholder of Becker, Hickey, & Poster, S.C. She receives a speaking honorarium from PESI, Inc.

Non-financial: Margaret W. Hickey is a member of the American Bar Association; State Bar of Wisconsin; Milwaukee Bar Association; National Academy of Elder Law Attorneys; Waukesha Bar Association; and the Association for Women Lawyers.

**CAROL WESSELS, JD**, has been practicing elder and special needs law for over 28 years. She is an owner of Wessels & Liebau, LLC in Mequon, Wisconsin. Her cases range from traditional estate planning and Medicaid planning to complex litigation. Carol initially learned about the need for legal services to victims of elder abuse when she obtained the first statewide grant in Wisconsin to provide legal services to victims of elder abuse, as the Director of the SeniorLAW program at Legal Action of Wisconsin. She went into private practice in 2004.

Carol is on the Board of Directors of the National Academy of Elder Law Attorneys (NAELA), and a past Board Chair of the Wisconsin Chapter of NAELA and the Elder Law Section of the State Bar of Wisconsin. She has been recognized as a 2013 Leader in the Law by the Wisconsin Law Journal, as the "Best Elder Law Attorney in Milwaukee" in 2014 by Best Lawyers, and as a SuperLawyer for over 10 years. She is a fellow of the Wisconsin Law Foundation.

Outside her practice, Ms. Wessels spends her time as a warrior in the fight to end Alzheimer's through her work on the Board of Directors of the Alzheimer's Association Wisconsin Chapter, where she currently serves as the chair of the Public Policy Committee and acts as an Ambassador to Senator Tammy Baldwin.

Speaker Disclosure:

Financial: Carol J. Wessels is the owner of Wessels Law Office LLC. She receives a speaking honorarium from PESI, Inc.

Non-financial: Carol J. Wessels is a member of the National Academy of Elder Law Attorneys (NAELA).

**HEATHER B. POSTER, JD**, is a shareholder with the law firm of Becker, Hickey and Poster, S.C., in Milwaukee, Wisconsin. Her practice focuses on the representation of the elderly and disabled in matters such as family law, estate planning, public benefits and advanced directives/guardianship. Heather also gives advice and consult to courts and trust administrators on special needs and pooled trusts. She is a board member and chair elect of the Wisconsin Chapter of the National Academy of Elder Law Attorneys' Board of Directors. Heather is an advisor to and the past Chair of the State Bar of Wisconsin's Elder Law and Special Needs Section Board. She serves as a Board member for WisPACT, Inc., the non-profit organization that oversees pooled and community trusts for the elderly and disabled.

Heather is a co-editor of the Medicaid Divestment chapter of the Attorney's Desk Reference, and the Medicaid chapter of *Advising Older Clients and Their Families*, both published by the State Bar of Wisconsin. She has been recognized for her work in elder law by *Super Lawyers* magazine and is listed in the Best Lawyers publication. Heather lectures extensively at state, national and international conferences on public benefits and long term care planning for the disabled and elderly, special needs and pooled trusts, guardianship and capacity issues. Ms. Poster is a member of the State Bar of Wisconsin, the Milwaukee Bar Association, the Association for Women Lawyers, and the National Academy of Elder Law Attorneys.

Speaker Disclosure:

Financial: Heather B. Poster is a shareholder of Becker, Hickey, & Poster, S.C. She receives a speaking honorarium from PESI, Inc.

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#### Live Seminar Schedule

**8:00** Registration/Morning Coffee & Tea

**8:30** Program begins

**11:45-12:45** Lunch (*on your own*)

**4:00** Program ends

There will be two 15-min breaks (mid-morning & mid-afternoon). Actual lunch and break start times are at the discretion of the speaker. A more detailed schedule is available upon request.



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