

EDGENTUS WEBINAR SERIES

COURSE SUMMARY

Advanced Medicaid Planning Divestment Strategies

This 3-hour advanced course gives students an in-depth analysis of Medicaid divestment rules, including divestment terminology. Participants will learn about the lookback period, how to calculate the penalty period, and effective gifting strategies both inside and outside of the lookback period. This course is applicable for practitioners in all states except California.

Learning Objectives:

Through this course you will learn:

- Medicaid divestment rules.
- Key Medicaid divestment terms.
- What transfers constitute divestment and which are exempt.
- Medicaid divestment trusts and trusts exempt from divestment penalty.
- Calculating the lookback period.
- Converting the lookback period into a waiting period.
- Aggregating transfers and calculating the penalty period.
- Determining the penalty period start date.
- Ways to cancel partial month penalty periods.
- Advanced planning gifting strategies.
- Crisis planning gifting strategies.

Location: Online Webinar (Zoom Webinar Platform)

Hours: 3

Date: November 3, 2020

Time: 2:00 pm ET – 5:00 pm ET

Presenters: Michael Anthony, JD

Level: Advanced

Prerequisites: None. (Introduction to Medicaid Planning and Understanding Medicaid Divestment Rules are strongly recommended.)

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COURSE OUTLINE

Advanced Medicaid Compliant Annuity Uses

Date: November 3, 2020 Time: 2:00 pm ET – 5:00 pm ET

- I. Medicaid Divestment Rules
 - a. Key Terms
 - b. Medicaid divestment rules from DRA2005
 - c. Limitation of transfer penalties to LTC Medicaid
- II. Types of Transfers
 - a. Direct
 - b. In-Kind
 - c. Giving up income
 - d. Disclaiming inheritances
- III. Trusts and Divestment
 - a. Non-Divestment Trusts and uses
 - b. Divestment Trusts and uses
- IV. Lookback Period and Penalty Period
 - a. Aggregating transfers in the lookback period
 - b. Determining the applicable divisor
 - c. Calculating the penalty period
 - d. Post-eligibility transfers
- V. Medicaid Eligibility Strategies Using Divestment
 - a. Divest and wait out the lookback period
 - b. Divest to an exempt person
 - c. Divest to an exempt trust
 - d. Modern Half-a-Loaf (divest + annuity/promissory note)

