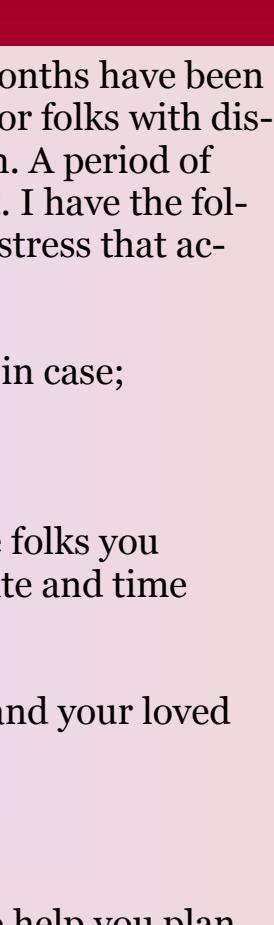


# Patricia E. Kefalas Dudek & Associates

Protecting and Inspiring Dignity  
and Respect



February 2017



Happy February to you! I know the last few months have been a time of great uncertainty related to services for folks with disabilities of all ages and those that care for them. A period of great change will be upon us before we know it. I have the following top ten tips to help us all cope with the stress that accompanies uncertainty and great change:

- 1) Do not panic-;
- 2) Plan for the worst case scenario; just in case;
- 3) Work towards the best case scenario;
- 4) Copy everything;
- 5) Do not look for logic;
- 6) Document Everything; including the folks you speak to, what they said and the date and time you spoke with them;
- 7) Stay optimistic;
- 8) Speak up and advocate for yourself and your loved ones;
- 9) Thank those that do the right thing;
- 10) Call out those that do not;

Hang in there and as always, we stand ready to help you plan, and advocate for dignity, respect and social justice!

## ABLE Accounts Begin to Spread Across Nation

Sixteen states now have ABLE programs, which allow people with disabilities to set aside up to \$14,000 a year in tax-free savings accounts without affecting their eligibility for government benefits. However, no matter which state you live in, you can open an ABLE account in most states with an active ABLE program.

Under the ABLE Act, the tax-free savings accounts can be used to pay for qualifying expenses such as the costs of treating the disability or for education, housing and health care, among other things. The existence of the accounts will not compromise the individual's ability to qualify for benefits like SSI or Medicaid as long as the account balance does not exceed \$100,000.

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## Beware of Timeshare Resale Scams

Buying timeshare vacation properties used to be fraught with fraud risks. Now, it's when you sell.

### How it Works:

You receive a phone call from a company that claims to have a buyer for your timeshare property. The caller even gives you the name and number of the prospective buyer, who confirms interest in the sale.

The caller faxes you signed documents that appear to be legitimate, along with a request for your credit card number to pay to set up escrow and title services with a promise you'll get that money back once the deal closes.

Weeks pass, and then months. You never hear back from the company and you've lost the upfront fee, which could be in the thousands of dollars.

Timeshare owners who get caught up in this scam often have no recourse. By the time they realize they have been scammed, it's usually too late to open a dispute with the credit card company.

If you're looking to sell your timeshare, visit [Resale Center of the American Resort Development Association](#) and heed these three basic rules:

• Don't expect much. Timeshares are a product, not an investment. Unless the property is in a very desirable location, you're probably not going to get much for it.

• Ask the resort if it has a formal resale program.

• If you receive a call from someone telling you they have a buyer and all you have to do is pay some upfront money, **hang up**.

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## New Medicare Rule Encourages Doctors to Test for Alzheimer's Disease and Offer Care Planning

A new Medicare rule will promote earlier diagnosis of Alzheimer's disease. Medicare will now reimburse primary care doctors who conduct an Alzheimer's evaluation and offer information about care planning to elderly patients with cognitive impairment.

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## How to Make Distributions to an SNT Beneficiary Without Disrupting Their SSI

When serving as the trustee of a special needs trust, it is crucial to be careful when making distributions for the benefit of the trust beneficiary. This is particularly true if the beneficiary receives Supplemental Security Income (SSI).

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## Filling the Gaps in Medicare Can Be Difficult for SSDI Recipients

After two years, Social Security Disability Insurance (SSDI) beneficiaries are eligible for Medicare. But Medicare does not offer comprehensive coverage, so beneficiaries often purchase private Medicare supplement insurance, known as a Medigap policy, to help pay for the expenses not covered by Medicare, such as deductibles and co-payments.

Individuals with disabilities under age 65 often face obstacles in purchasing Medigap insurance that older Medicare beneficiaries do not face. In many states, Medigap policies are either not available to younger beneficiaries due to their age or the premiums are too costly.

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## Writing a Memorandum of Intent for Your Child With Special Needs

While creating a financial plan and establishing a specialized trust are central to preparing for your child's future, special needs planners also advise families to write down their intentions and expectations in a document referred to as a Memorandum of Intent, also known as a "Letter of Intent." This document can be used to describe your child's health care and therapeutic needs, identify lifestyle preferences and provide contact information for doctors, therapists and teachers. It also can be used to convey insights into your child's personality and history that future caregivers might not easily gain on their own.

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## How to Deduct Long-Term Care Premiums From Your Income

Taxpayers with long-term care insurance policies can deduct some of their premiums from their income. Whether you can use the deduction requires comparing your medical expenses to your income in a complicated formula.

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## Watch Out for Mistakes in the List of Doctors Covered by Your Medicare Advantage Plan

Medicare Advantage plans are a popular alternative to regular Medicare because the plans often offer lower out-of-pocket costs, but buyers need to make sure they know what they are paying for. A government review of Medicare Advantage plans revealed that their provider directories were often riddled with errors, causing those plans to face serious fines.

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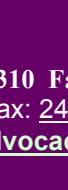
## Preventing a Will Contest

Emotions can run high at the death of a family member. If a family member is unhappy with the amount they received (or didn't receive) under a will, he or she may contest the will. Will contests can drag out for years, keeping all the heirs from getting what they are entitled to. It may be impossible to prevent relatives from fighting over your will entirely, but there are steps you can take to try to minimize squabbles and ensure your intentions are carried out.

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