

From: Caitlin Watson <caitlin.watson@scbar.org>
To:
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Subject: SC Bar Elder Law Committee Newsletter



IN THE NEWS

Spousal Impoverishment Protections Expanded to Spouses of HCBS Beneficiaries

The Affordable Care Act section 2404 provided an important amendment that expanded spousal impoverishment protections to include spouses of Home and Community-Based Services (HCBS) beneficiaries. Advocates pushing states to comply with the rule can now refer to new guidance from the Centers for Medicare & Medicaid Services (CMS) describing how states must apply the statute in making Medicaid eligibility determinations. To see the CMS guidelines, [click here](#).

Report Recommending Improvements to South Carolina's Long-term Care System Released

Recommendations to reshape South Carolina's long-term care system were recently released. The recommendations were compiled by a state-wide task force chaired by Joel Smith, dean emeritus of the USC Moore School of Business and former president of Bank of America East. The task force was convened by South Carolina Institute of Medicine and Public Health. To see the full report, [click here](#).

Changes to VA Needs-Based Pension Requirements

In January 2015, the Veterans Administration (VA) promulgated regulations that would significantly change the criteria used to grant the "special pension" entitlement. The proposed changes include new requirements for evaluating net worth and asset transfers and new limitations on medical expenses that may be deducted from countable income. If adopted, these changes will impose a number of new restrictions on war-time Veterans and their spouses. The comment period has ended and the VA is currently considering comments that were submitted on their proposal. A final regulation is expected later this year. To see the proposed regulation, [click here](#).

Elder Law Committee is seeking comments

The Elder Law Committee (ELC) is looking at ways to improve the process for the appointment of guardians and conservators in the South Carolina Probate Courts. In cooperation with the South Carolina Association of Probate Judges Article 5 Committee, the ELC has established these goals to be addressed through proposed legislation to improve upon current law. The ELC is seeking comment on these goals and on potential ways to meet those goals from stakeholders and the public.

EVENTS & ANNOUNCEMENTS

June 13th: First Annual Charleston Senior Information Fair

The City of Charleston Mayor's Office on Aging is sponsoring the First Annual Charleston Senior Information Fair. The Fair will be held on Saturday June 13, 2015, at the Arthur W. Christopher Community Center at 265 Fishburne Street in Charleston. Cindy Coker, Director of Public Services for the SC Bar, and Franchelle Millender, Elder Law attorney, will be speaking on the legal issues that elders and their families need to address in planning for future long term care.

Physicians from MUSC and USC will be presenting several topics including: dementia, elder abuse, and caregiving. For more information call 843-965-4190.

June 16th: SC World Elder Abuse Awareness Day Conference

The SC World Elder Abuse Awareness Day is a call-to-action for individuals, organizations, and communities to raise awareness about abuse, neglect, and exploitation of elders. The SC WEAAD Conference will take place at Brookland Banquet and Conference Center, 1066 Sunset Blvd, West Columbia, SC on June 16, 2015 from 9am until 3 pm.

Registration is limited, so register now!

Farmers' market vouchers available for seniors

Several counties will be issuing senior farmers' market nutrition coupons to low-income individuals age 60 and older that may be used to purchase fresh produce at local participating farmers' markets. Each eligible person will receive \$25 worth of coupons that may be used at participating markets from June through Oct. 15. Contact the South Carolina Department of Social Services at (803) 898-0973 for a listing of Local Agencies and participating counties.

Aging Gracefully Conference (August 2015)

The South Carolina Bar, in conjunction with the S.C. Medical Association and the S.C. Coalition for the Care of the Seriously Ill, is holding its second annual conference, Aging Gracefully, to address the concerns and questions facing South Carolina's elderly, their families and their caregivers. The conference will take place in August and will be held in Greenville and Florence. More details to follow!

Please let us know if you would like to be removed from our contact list by contacting Caitlin Watson at 803-576-3782 or cwatson@scbar.org.