

SAFE PLANNING

Seniors' Asset & Family Estate Planning

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SEPTEMBER 2015



Theft by Caregivers

By Ric Cochran

The first thing I tell anyone about hiring caregivers is to get everything of value out of the home. Even if most don't steal, the ones that do can clean you out. And, here's the worst part: the ones that do you the most damage are often the ones you'd least suspect. It's sad but true. Those who appear dishonest to you, you'd probably never hire. Famous last words are "I never thought they'd do anything like that." Remember that most retail theft by a wide margin is not done by shoplifters but by employees.

There are two types of professional caregivers: 1) those working through a service who should be bonded and insured and, 2) those who work independently. Going through a service is no guarantee. But a good service should be able to show you proof their employees have worker's compensation, are bonded and insured, and were checked for a criminal record. At least, you have someone with a business who doesn't want their insurance rates to go up from claims.

Hiring an individual is considerably cheaper and considerably riskier. I have known many who do sitting and caregiver work who I doubt would ever steal. The problem is the other ones. Since informal caregiving arrangements often don't involve background checks (since few require them), people with a troubled past and other problems often gravitate to these jobs. And seniors often make ideal victims because they can be overly trusting and might not even notice theft until it's too late. Worse, they might not want to prosecute a thief who they think of as a family member after spending many hours talking and visiting with them.

There are many ways to steal, and the ones who do it tend to be very good at covering their tracks. Some tricks include: stealing china or guns from the back of the cabinet rather than the stack in front, stealing checks from the back of checkbooks in a box of checks, using camera phones to take pictures of important documents to glean ID theft data, and doing all of this while the person they care for is blissfully sleeping or unable to monitor them. Many steal pain meds for their own addictions or to sell to others which can leave patients suffering without their meds administered on schedule.

While thieves are continuing to look for ways to steal from their patients, and nothing can be completely foolproof, here are some tips that can help:

- Remove temptation as much as humanly possible. Get the valuables out, including jewelry, china and silverware. Don't depend on hiding places. There are two reasons. First, you may not remember where your hiding places are, and your family may not find them when you're gone. Second, most hiding places aren't very original, and thieves are pretty good at finding them.
- If you're hiring an individual, rather than using a service, have them sign a contract and have them give permission in writing for you to conduct background checks, both civil and criminal. They should also furnish copies of their driver's license, Social Security number, car tag number and current address. Anyone who balks is probably someone you should avoid. Copies of

Continued on Page 2...

S.A.F.E. workshop: Friday, September 25. Reserve your seat!

In this Issue:

- *Theft by Caregivers*
- *Medicaid Estate Recovery*
- *Real Life Heroes*
- *Current Events and Times Gone By*

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INTERESTING TRIVIA

The first product to have a bar code was Wrigley's gum

The King of Hearts is the only king WITHOUT A MOUSTACHE

American Airlines saved \$40,000 in 1987 by eliminating one (1) olive from each salad served in first class.

Apples, not caffeine, are more efficient at waking you up in the morning

Most dust particles in your house are made from DEAD SKIN.

The first owner of the Marlboro Company died of lung cancer. So did the first 'Marlboro Man'.

PEARLS DISSOLVE IN VINEGAR!

It is possible to lead a cow upstairs...but not downstairs.

Dentists have recommended that a toothbrush be kept at least Six (6) feet away from a toilet to avoid airborne particles resulting from the flush.

(I keep my toothbrush in the living room now!)

Continued from Page 1...

this information should be kept away from the home by a trusted family member. Private investigators do background checks for a reasonable fee; especially compared to getting cleaned out.

- Be aware that hiring an individual can involve risk of injury claims and tax issues. Get proof of coverage from an agency, and be forewarned when dealing with individuals.
- Have people you know and trust provide supervision, and be careful to watch your accounts and/or ask other trusted people to watch them.
- Require references and contact them all.

Before you assume that "nice person" you hire would never steal from you, remember that I hear frequent horror stories from families whose loved one was stolen blind by someone they trusted.

Medicaid Estate Recovery

While you do not have to sign your house over to the state in order to receive benefits, the state has a Recovery Department and has the right to try and recover against the estate of the applicant / recipient but only after their death and only if there is no surviving spouse.

Louisiana has had the right to recover against the homestead for some time, but the Recovery Department is now becoming more aggressive in asserting that right. Additionally, if assets or income are not fully disclosed during the initial application or a transfer for less than fair market value was made but not disclosed, there could be additional recovery efforts. Changes in income or assets that are not reported to Medicaid once an individual is determined eligible can also cause a problem. If these are not found or are overlooked and benefits are received, once discovered the Recovery Department would be responsible for trying to collect any monies incorrectly paid to an individual.

In cases of notices being sent to the families after the death of a Medicaid recipient, the letter consists of forms to be filled out and sent back to the state that helps the state make a determination if recovery is going to be financially beneficial for the state, and also outlines the hardships and exemptions that could allow a family to avoid recovery of the homestead.

Depending on the value of the home, the financial status of the direct heirs, and several other determining factors, you may be able to avoid recovery. Recovery can only be made from the estate of the person that received benefits and the state is limited to recovering only from the probate of that individual. In other words, if it doesn't go through probate, they can't get it. While many know that a Revocable Living Trust will avoid probate, not many know a home in a trust loses its Medicaid exempt status which would keep the individual from receiving benefits in the first place.

One strategy for a married couple would be to transfer the interest of the applicant / recipient to the well spouse at home. If the well spouse owns the entire house, it will keep the home out of the probate of the applicant / recipient. In some instances, a pre-planning strategy may be to transfer the home out of their names. Whether married or single, a transfer might be made to the children, for example, and get past the look-back period and/or the penalty period for transfers for less than Fair Market Value.

There are other strategies that may be available to protect from recovery - many depend on your particular situation and family dynamic. As always, Pre-planning can offer the most protection and more choices. For more information about estate recovery, exemptions, exclusions, and planning opportunities, call the office.

This article discusses how Louisiana deals with recovery. If you are in another state, there may be some differences. If you have concerns, you should contact someone who has definite knowledge of your state regulations.

If you haven't been to one of our live events, you can go to this website (safeplanningseminars.net) to watch videos 24/7 on how to protect your estate from nursing home costs even if somebody is already in a nursing home.

Real Life Heroes

Most people today don't have any idea who these men are / were, and that's a pity. The movie stars of "our" day were real life heroes. Compare these men with movie stars of today; few of which have served in our armed forces.

George Gobel comedian, Army Air Corps, taught fighter pilots

James Stewart US Army Air Corps; Bomber pilot who rose to the rank of General

Ernest Borgnine US Navy Gunners Mate; destroyer USS Lamberton; 10 years active duty; Discharged 1941; re-enlisted after Pearl Harbor

Ed McMahon US Marines Fighter Pilot (flew OE-1 Bird Dogs over Korea as well)

Telly Savalas US Army

Walter Matthau US Army Air Corps, B-24 Radioman/Gunner and cryptographer

Steve Forrest US Army; Wounded, Battle of the Bulge

Jonathan Winters USMC, Battleship USS Wisconsin and Carrier USS Bon Homme Richard (Anti-aircraft gunner, Battle of Okinawa)

Paul Newman US Navy Rear seat gunner/radioman, torpedoed bombers off USS Bunker Hill

Kirk Douglas US Navy Sub-chaser in the Pacific; Wounded in action and medically discharged.

Robert Mitchum US Army

Dale Robertson US Army Tank Commander in North Africa under Patton; Wounded twice; Battlefield Commission

Henry Fonda US Navy Destroyer USS Satterlee

Lee Marvin US Marines Sniper; Wounded in action on Saipan; Buried in Arlington National Cemetery Sec. 7A next to Greg Boyington and Joe Louis

Rod Steiger US Navy; was aboard one of the ships that launched the Doolittle Raid

Tony Curtis US Navy Sub tender USS Proteus; In Tokyo Bay for the surrender of Japan

Larry Storch US Navy Sub tender USS Proteus with Tony Curtis.

Forrest Tucker US Army; Enlisted as a private, rose to Lieutenant

Robert Montgomery US Navy

George Kennedy US Army; Enlisted after Pearl Harbor, stayed in sixteen years

Mickey Rooney US Army under Patton. Bronze Star

Denver Pyle US Navy; Wounded in the Battle of Guadalcanal; Medically discharged

Robert Stack US Navy Gunnery Officer

Neville Brand US Army/ Europe; Was awarded the Silver Star and Purple Heart

Tyrone Power US Marines; Transport pilot in the Pacific Theater

Charlton Heston US Army Air Corps; Radio operator and aerial gunner on a B-25, Aleutians

James Arness US Army; As an infantryman, he was severely wounded at Anzio, Italy

Efram Zimbalist, Jr. US Army; Purple Heart for a severe wound received at Huertgen Forest

Mickey Spillane US Army Air Corps Fighter Pilot and later Instructor Pilot

Rod Serling US Army 11th Airborne Division in the Pacific. He jumped at Tagaytay in the Philippines and was later wounded in Manila.

Gene Autry US Army Air Corps; Crewman on transports that ferried supplies over "The Hump" in the China-Burma-India Theater

William Holden US Army Air Corps.

William Conrad US Army Air Corps Fighter Pilot

Jackie Coogan US Army Air Corps; Volunteered for gliders and flew troops and materials into Burma behind enemy lines

Tom Bosley US Navy

Claude Akins US Army Signal Corps; Burma and the Philippines

Chuck Connors US Army Tank-warfare instructor

Karl Malden US Army Air Corps, 8th Air Force, NCO

COMPLIMENTARY PUBLIC WORKSHOP

**FRIDAY, September 25, 2015
10 AM**

SHREVE MEMORIAL LIBRARY

Broadmoor Branch

1212 Captain Shreve Drive
(one block north of Preston)
Shreveport, LA 71105

**Please call ahead to make your
reservation (318) 869-3133, or register**

online at safeplanning.net/event

Invite friends, family members, and anyone you care about to attend our workshops. This is important to everyone who wants to protect an estate from devastating nursing home costs and/or costly investing mistakes.

Ask about our RAM Workshop.

*A woman told me,
"I don't pay attention to politics."*

*I said, "Well, guess what?
Politics affect your civil rights,
medical treatment, cost of
food, mortgage, gas, utilities,
insurance, education, retirement,
taxes, and safety..."*

In other words, YOUR LIFE!"

*Politicians just LOVE being
empowered by the foolish people
who don't pay attention to politics.*

Continued on Page 4...

*Rainey Asset Management, Inc. is a Registered Investment Advisory Firm registered in Florida, Texas, Arkansas, and Louisiana.



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Real Life Heroes *continued...*

Earl Holliman US Navy; Lied about his age to enlist. Discharged after a year when the Navy found out.

Don Knotts US Army, Pacific Theater

Don Rickles US Navy aboard USS Cyrene

Robert Stack US Navy Gunnery Instructor

Lee Van Cleef US Navy; Served aboard a sub chaser and a mine sweeper

Jack Warden US Navy, 1938-1942, then US Army, 1942-1945; 101st Airborne Division

Don Adams US Marines; Wounded on Guadalcanal, then served as a Drill Instructor

Brian Keith US Marines Radioman/Gunner in Dauntless dive-bombers

Fess Parker US Navy and US Marines; Booted from pilot training for being too tall, joined Marines as a radio operator

(Long list—will continue next newsletter.)

Current Events and Times Gone By

One evening a grandson was talking to his grandmother about current events. The grandson asked his grandmother what she thought about things in today's world.

The Grandmother replied, "Well, let me think a minute. I was born before television, penicillin, polio shots, frozen foods, Xerox, contact lenses, Frisbees and 'The Pill'.

"There were no credit cards, laser beams or ball-point pens; no pantyhose, dishwashers, clothes dryers, and man hadn't yet walked on the moon.

"Your grandfather and I got married first, and then lived together.

"Until I was 25, I called every man older than me 'Sir'. We were before computer-dating, daycare centers, and group therapy. Our lives (including schools) were governed by the Ten Commandments, good judgment, and common sense.

"We were taught to know the difference between right and wrong and to stand up and take responsibility for our actions.

"Serving your country was a privilege, and living in this country was a bigger privilege.

"Having a meaningful relationship meant getting along with your cousins.

"Draft dodgers were those who closed front doors as the evening breeze started.

"Time-sharing meant time the family spent together in the evenings and weekends, not purchasing condominiums.

"We never heard of FM radios, tape decks, CD's, electric typewriters, yogurt, or guys wearing earrings. The term 'making out' referred to how you did on your school exam.

"There was no Pizza Hut, McDonald's, or instant coffee. We had 5-cent & 10-cent (5 and Dime) stores where you could actually buy things for 5 and 10 cents.

"Ice cream cones, phone calls, rides on a streetcar, and a Pepsi were all a nickel. And if you didn't want to splurge, you could spend your nickel on enough stamps to mail one letter and two postcards.

"You could buy a new Ford Coupe for \$600, but who could afford one? Too bad, because gas was 11 cents a gallon.

"In my day, 'grass' was mowed, 'coke' was a cold drink, 'pot' was something your mother cooked in, 'aids' were helpers in the Principal's office, and 'software' wasn't even a word."

Guess how old Grandma is? She was born in 1952—63 yrs old!

If God wanted me to touch my toes, he would've put them on my knees.