

---

---

# TABLE OF CONTENTS

INTRODUCTION. . . . .	-1-
You Need Legal Authority. . . . .	-2-
Designation of Patient Advocate. . . . .	-2-
Durable Power of Attorney. . . . .	-2-
Trustee Successorship. . . . .	-3-
Guardianship. . . . .	-3-
Guardianship Or? . . . . .	-4-
What Is and Is Not a Nursing Home?. . . . .	-5-
– Assisted Living . . . . .	-5-
– Nursing Home. . . . .	-5-
How to Get Good Care in a Nursing Home. . . . .	-7-
The Care Planning Process. . . . .	-7-
How Care Planning Works in Practice. . . . .	-8-
The MDS Report. . . . .	-9-
What If There Are Problems?. . . . .	-10-
The Rights of the Medicare Patient . . . . .	-12-
Premature hospital discharge. . . . .	-12-
The Right to Skilled Nursing Care in the Nursing Home. . . . .	-13-
Appeal Premature Termination of Medicare Coverage. . . . .	-14-
How to Appeal Premature Termination. . . . .	-15-
Hospice. . . . .	-16-
The Nursing Home Contract. . . . .	-18-
The “Responsible Party. . . . .	-18-
Written Contract Required. . . . .	-18-
Required Financial Disclosure. . . . .	-19-
Financial Admission Discrimination. . . . .	-19-
Illegal Admission Requirements. . . . .	-19-
No Third Party Guarantee. . . . .	-19-
A Patient Advocate May Not Be Required. . . . .	-19-
A Guardian May Not be Required. . . . .	-20-
No Minimum Payment before Applying for Medicaid. . . . .	-20-
No Required Deposit of Funds. . . . .	-20-
The Rights of Nursing Home Residents. . . . .	-20-
The Right to Achieve and Maintain the Highest Practicable Level of Functioning. . . . .	-21-
The Right to Make Health Care Decisions. . . . .	-21-
The Right to Be Free of Unnecessary Restraints. . . . .	-21-
The Right to Be Free From Abuse. . . . .	-21-
The Right to Accommodation of Individual Needs and Preferences. . . . .	-21-

---

---

---

The Right to Independence, Dignity and Participation in All Activities. . . . .	-21-
No Waiver of Rights. . . . .	-22-
The Six and Only Reasons for Discharge. . . . .	-22-
Appeal of Discharge.. . . .	-22-
Planning Prior to Discharge.. . . .	-22-
Transfer to Hospital is <u>Not</u> Discharge. . . . .	-23-
The Long Term Care Ombudsman. . . . .	-23-
How to Pay for the Nursing Home Without Going Broke.. . . .	-24-
What is Medicaid? . . . . .	-24-
Why Seek Advice for Medicaid?.. . . .	-24-
Medicaid’s Medical Screen – the Seven Doors.. . . .	-25-
Do I lose my other insurance if I receive Medicaid Assistance?.. . . .	-25-
Medicaid Tip: Purchase Additional Insurance.. . . .	-26-
Exempt Assets and Countable Assets. . . . .	-26-
Medicaid – Questions & Misconceptions. . . . .	-27-
Myth: Medicaid Provides Substandard Care. . . . .	-28-
Medicaid Rules for Married Couples.. . . .	-29-
Case Study No. 1 Medicaid Planning for Married People. . . . .	-31-
Case Study No. 2 Medicaid Planning for Married People. . . . .	-32-
Case Study No. 3 Medicaid Planning for Single People.. . . .	-33-
Case Study No. 4 A Trust for a Disabled Child. . . . .	-34-
Case Study No. 5 Financial Gifts to Children.. . . .	-34-
“Will I Lose My Home?”.. . . .	-35-
Case Study No. 6 The \$242,000 Mistake?. . . . .	-36-
How to Select a Nursing Home. . . . .	-38-
Listing of Nursing Homes in Southeast Michigan.. . . .	-40-
— Nursing Homes in the Tri-county Area.. . . .	-40-
— Nursing Homes Outside Metro-Detroit Area. . . . .	-56-
Nursing Home Evaluation Checklists. . . . .	-59-
Resources.. . . .	-62-
Selected Medicare Regulations on Skilled Care. . . . .	-64-
Appendix– <b>7 Doors Medicaid Screen</b> . . . . .	-66-
Appendix – <b>Selections from MDS Form</b> .. . . .	-73-
How Can We Help You?.. . . .	-77-

---