

Offices in
Suffolk and
Virginia Beach, Virginia
Tel: 757-399-7506
Fax: 757-397-1267
Web: www.oasthook.com



NATIONAL ACADEMY OF
ELDER LAW ATTORNEYS, INC.

MEMBER

MEMBER



Special needs require special lawyers.

INSIDE THIS ISSUE

- Screenings for Nursing Facility Entry by Carey N. Raleigh, MSW
- Ask Allie
- Announcements
- Distribution of This Newsletter

Editor
Sandra L. Smith,
Certified Elder Law Attorney

SCREENINGS FOR NURSING FACILITY ENTRY

Entering a nursing facility from a hospital or from the community can be a confusing and stressful time for any individual and the individual's family. When you are assisting an individual to move into a facility, you may be overwhelmed with information.

If an individual is expected to enter a nursing facility from a hospital for a rehabilitation stay and you are unsure if the individual will be able to return home, then it is important that you have a conversation with the case manager or discharge planner at the hospital. If the individual does not have the funds to pay privately for the individual's care for a period of six months, then the case manager or discharge planner should complete a screening for long-term care placement. The screening tool is called a Universal Assessment Instrument (UAI). It is important that this screening occur while the individual is in the hospital, and that the UAI is given to the facility in which the individual will be placed. The case manager or discharge planner is the person who has the ability to complete this screening while the individual is in the hospital. You should discuss the available placement options within the long-term care system in your area. You should also visit some of these facilities.

If an individual is entering a nursing facility from home or another community setting and the individual does not have the funds to pay privately for his or her care for a period of six months, then you should contact your local Department of Social Services to request a screening. In this situation, a social worker and a public health nurse will come to the individual's home to conduct the screening. It is important to plan ahead as much as possible, because most localities operate on a "first come, first served" basis and will conduct the screenings in the order in which they receive the requests. Some localities may take a minimum of four weeks before the screening can be done.

As stated in the Pre-Admission Screening Provider Manual, Chapter IV, the pre-admission screening is used to determine whether an “individual needs nursing facility services and, when appropriate, authorizes the nursing facility or community based long-term care.” This screening is the first level of authorization for Medicaid reimbursement for nursing facility level of care. Therefore, the screening is a critical part of the planning process.

If your family member has the funds to pay privately for care for six months or longer and commits to pay privately for care for this period of time, then a pre-admission screening is not required.

If a screening is conducted and your family member is not immediately placed, then the UAI is valid within the following time frames:

Zero to Six Months: Screenings are valid and do not require updates.

Six to Twelve Months: Screening updates are required.

Over Twelve Months: A new screening is required.

The attorneys and life care planner at Oast & Hook can assist you with these processes to guide you and your family member through these placement procedures.

Carey N. Raleigh is the life care planner with Oast & Hook, P.C. Ms. Raleigh earned a Bachelor of Science in Social Work from the University of Vermont in 1994 and a Master of Science in Social Work from Norfolk State University in 1998. She has over 16 years experience working as a director of social services in nursing and rehabilitation centers, as a medical social worker for a home health agency, and as an adult protective services worker for the City of Virginia Beach. Ms. Raleigh is the president of the Social Workers Association of Tidewater, the secretary for the Virginia Beach Task Force on Aging, and a member of the Virginia Beach Mayor's Commission on Aging.

Ask Allie

O&H: Allie, We've heard that the Department of Homeland Security (DHS) is looking for a few good dogs. Please tell us about it.

Allie: Sure! A recent article in the Daily Press discusses the DHS's elite corps of approximately 2,000 dogs who sniff for bombs, drugs, and smuggled cash. The DHS wants to expand its corps by 600 dogs each year for the next five years. DHS is looking for Labrador retrievers, golden retrievers, German shepherds, Dutch shepherds, and Belgian Malinois. DHS will also accept other working, herding, or sporting dogs, but requires prior approval. The bid solicitation sent to small breeders throughout the country stated that the candidates must be “alert, active, outgoing, confident,” and “extremely tolerant of

people.” U.S. Customs and Border Protection, which includes the Border Patrol, is among the largest users of canines. Customs officials have 550 canine teams at ports of entry, and the Border Patrol has 850 teams in the border regions. Dogs also help the Federal Emergency Management Agency hunt for survivors or victims after a disaster, board ships with the Coast Guard, and help the Secret Service by sniffing for bombs. The Transportation Security Administration is requesting \$71 million this year to set up 275 new canine teams for explosives detection in airports. Dogs usually work about ten years, and although they do not have federal retirement benefits, they are often adopted by their human partners when they are too old to work. Clark Larson, the individual who runs DHS’s canine program, says “Their pension is sitting nicely by the fireplace with the handler.” Sounds like our canine friends are doing a great service for our country. Now let me see if I can sniff out my favorite catnip toy. I hid it around here somewhere. See you next week!

Announcements

Oast & Hook attorney Letha McDowell will speak on the topic of life care planning from 9:45 a.m. to 11:30 a.m., Tuesday, September 14th to the staff at Sentara Virginia Beach General Hospital located at 1060 First Colonial Road, Virginia Beach, Virginia 23451. For more information about this presentation, please phone Paula Mala at 757-882-5222.

Oast & Hook attorney Brian A. Boys will speak on the topic of legal issues affecting senior adults from 7:00 p.m. to 9:00 p.m., Tuesday, September 14th at the meeting of the South Norfolk Baptist Association located at 1101 Chesapeake Avenue, Chesapeake, Virginia 23324. For more information about this presentation, please phone Robert Lee at 757-621-1019.

Oast & Hook attorney Sandra L. Smith will speak on the topic of veterans’ benefits from 5:00 p.m. to 6:30 p.m., Tuesday, September 14th at Leigh Hall Assisted Living located at 890 Poplar Hall Drive, Norfolk, Virginia 23502. For more information about this presentation, please phone Jennifer Knighten at 757-461-5956.

Oast & Hook attorney Letha McDowell will speak on the topic of estate planning from 10:00 a.m. to 12:00 p.m., Wednesday, September 15th at the Pasquotank office of the North Carolina Extension Service located at 1209 McPherson Street, Elizabeth City, North Carolina 27909. For more information or to register for this event, please phone the Pasquotank Cooperative Extension Service at 252-338-3954.

Distribution of This Newsletter

Oast & Hook encourages you to share this newsletter with anyone who is interested in issues pertaining to the elderly, the disabled and their advocates. The information in this newsletter may be copied and distributed, without charge and without permission, but with appropriate citation to Oast & Hook, P.C. If you are interested in a free subscription to the *Oast & Hook News*, then please e-mail us at mail@oasthook.com, telephone us at 757-399-7506, or fax us at 757-397-1267.

Copyright © 2010 by Oast & Hook, P.C.