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INSIDE THIS ISSUE

- Older Long-term
Care Insurance
Policies
- Ask Allie
- Announcement
- Distribution of This
Newsletter

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OLDER LONG-TERM CARE INSURANCE POLICIES

BY
BRIAN BOYS

There are many ways to pay for the cost of long-term care. One option is to purchase a long-term care insurance policy. Many people looked ahead and purchased long-term care insurance policies years ago, and they may be concerned about coverage under those older policies.

Oast & Hook recently assisted a client who faced the problem of paying for long-term care for his wife. The client's wife suffers from mild dementia and other health problems, and as a result, she was unable to continue to live safely at home. The client found an assisted living facility that was able to provide the type of care that his wife needed and advised Oast & Hook that his wife had a long-term care insurance policy.

Oast & Hook reviewed the policy and recognized that the policy was purchased many years ago. Because the policy was so old, it provided coverage only for care in a nursing home. The policy did not provide any coverage of the expenses associated with care in an assisted living facility, because assisted living facilities, as we know them today, did not exist when the policy was issued. As a result, the client was worried that after years of paying premiums on the policy, it would not provide coverage for the care that his wife now needs.

Oast & Hook continued its close review of the policy and determined that while it provided coverage only for nursing home care, it also contained a provision where another type of facility could meet the policy's definition of nursing home. By working closely with the client and the assisted living facility, Oast & Hook provided the insurance company with the information

and an analysis that demonstrated that the services the assisted living facility provides are identical to those services described in the policy in its definition of a nursing home. The insurance company agreed with Oast & Hook's analysis, thus opening the door to thousands of dollars of coverage that the client thought he would not receive.

The lesson learned from this situation is that clients should closely review long-term care insurance policies with the assistance of an elder law firm such as Oast & Hook. Without such a review, they may assume that their policies will not cover current long-term care needs, and thus not use valuable benefits.

The attorneys of Oast & Hook can assist clients with their estate, insurance, financial, life care, veterans benefits and special needs planning issues.

Brian Boys is an elder law attorney with Oast & Hook, and he practices in the areas of estate planning, estate and trust administration, guardianships and conservatorships, and litigation.

Ask Allie

O&H: Allie, we know that volunteers can make a big difference in the lives of dogs and cats. Please tell us some ways that people can volunteer.

Allie: Sure! We all know that monetary donations are critical for charitable organizations to operate shelters and provide pet assistance. The backbone of these organizations, however, is their dedicated volunteers. A recent article in *HealthyPet* magazine provided several ideas for volunteering to help pets in need. Some dogs in rescue shelters need to be socialized in different ways as a result of earlier experiences. This socialization is necessary in order for the dogs to be adoptable long-term. Patient volunteers provide opportunities for dogs to receive a loving touch, learn to trust, and interact with other pets and people. "Bringing about such transformations in these dogs is, I think, the most important, rewarding, and thrilling thing we can do as volunteers in a dog shelter," says Laurie Cunningham, a long-standing volunteer with Hearts United for Animals in Auburn, Nebraska. Another thing that pet lovers can do is to volunteer at a pet food bank. These pet food banks are looking for volunteers who can design flyers for fundraising activities, make phone calls to sponsors, network within the community, or actually work at the food bank distributing food. Of course, pet food banks are always looking for people to donate cat or dog food. I'll talk about two more ideas in our next issue. Time to go to my favorite spot and check for visiting animals in the neighborhood. See you next week!

Announcement

Oast & Hook attorney Brian Boys will speak on the topic of estate planning from noon to 1:00 p.m., Tuesday, January 11th at Fourth Baptist Church located at 726 South Street, Portsmouth, Virginia 23704. For more information on this church, please visit www.fourthbaptistchurch.com. For more information on this presentation, please phone Jennie Dell at 757-399-7506.

Oast & Hook will speak on the 2010 Tax Relief Act. Is it Really a Relief? The seminar will be located at the Virginia Beach Central Library on January 27, 2011. There are two sessions: 10AM and 4PM. For more information, please phone Jennie Dell at 757-399-7506.

If you are interested in having an Oast & Hook attorney speak at your event, contact Jennie Dell at 757-399-7506 or dell@oasthook.com. Past topics include estate planning, long-term care planning and veterans benefits.

Distribution of This Newsletter

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