

# TBA Elder Law Forum 2023

July 21, 2023 – Belmont College of Law



**Total Credits:** 4 General, 1 Dual

**Producer:** John Toy, Parker Toy & Associates

This annual staple for Tennessee attorneys provides an optimal learning experience, while allowing you to meet with other professionals sharing your focus. Topics for this year's program include a probate judge's panel, redetermination, ethics for elder law attorneys, crisis planning, tax considerations and more.

8:30 – 9 a.m. CDT

## **Registration**

9 – 10 a.m.

## **Your Client Needs to Qualify for TennCare. Now What?**

There are three requirements to qualify for TennCare: you have to be sick enough, your income has to be low enough (sort of), and the value of your assets has to be low enough. The panelists will explain these criteria and walk us through several scenarios to show us how the criteria work.

Barbara Moss, Elder Law of Nashville (Moderator)

Bryson Eubanks, Kane & Crowell

Drew Clements, Tom Bible Law

Josh Bey, Takacs McGinnis

10 – 11 a.m.

## **Redetermination**

For the last three years, due to the COVID emergency, TennCare was required to pause the redetermination process. This pause ended on March 31 and TennCare has begun the process which is known as "unwinding." This means TennCare will be returning to the redetermination process and will be reviewing tens of thousands of individuals each month to see if they can keep their coverage. This session will discuss TennCare's Redetermination process, tips to get through the process, and pitfalls that TJC has observed.

Rob Watkins Tennessee Justice Center

11 – 11:15 a.m.

## **Break**

- 11:15 a.m.– 12:15 p.m.      **Navigating Medicaid and Tax Laws**  
Elder Law attorneys excel in Medicaid regulations but may not have extensive tax law knowledge. Consequently, adhering to IRS guidelines regarding real estate gifting and trust transfers can lead to unforeseen repercussions for individuals seeking long-term care and Medicaid assistance. To ensure a smooth process, clients should seek advice from tax professionals and elder law attorneys before proceeding with any gifts or asset transfers.  
Charles Frazier, Law Offices of Charle F. Frazier
- 12:15 – 1:15 p.m.      **Lunch** (provided)
- 1:15 – 2:15 p.m.      **Tips, Tidbits and Tricks for Success in Probate Court**  
This presentation will cover the three T's for success in probate court. Judges will provide best practices and answer questions from attendees.  
John Toy, Parker Toy & Associates (Moderator)  
Judge Andra Hedrick, Seventh Circuit Court  
Judge Toby Gilley, Rutherford Co. Gen. Session Court, Pt. III
- 2:15 – 3:15 p.m.      **Legal Ethics**  
This session will cover ethical topics relevant to elder law practitioners. The presentation will include file destruction policies, confidentiality, the unauthorized practice of law and common trust account scams directed at attorneys.  
Steven Christopher, Tenn. Board of Professional Responsibility