



BOTT & ASSOCIATES, LTD.

ATTORNEYS AT LAW

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B&A BULLETIN

Q2 2025

Medicaid Matters

THE MUST-KNOWS AND MISSTEPS TO AVOID

Medicaid is a complex and ever-changing world that has kept us very busy lately.

Considering the nuances in successfully navigating Medicaid, it's no surprise that our recent call volume has been high. Two recent situations we encountered are essential to include front and center in this message, as they both involve one of the biggest myths surrounding our areas of law.

Unfortunately, many believe they must "spend it all down" to qualify for Medicaid. This misconception has grown in recent years as more and more people have gone the "Google lawyer" route to getting their critical questions answered. Yes, the internet has plenty of information about Medicaid, but much of it is unclear at best and completely inaccurate at worst. First and foremost, the reality is that you don't need to worry about your assets affecting your Medicaid as much as you think — but you must put solid plans in place as soon as possible to protect your money.

In one recent scenario, an elderly mother with two adult children reached the point where it was best for her to move into a nursing facility sooner rather than later. Her assets were minimal — \$5,000 in the bank and a house worth \$200,000. The latter asset was just enough to complicate the woman's

Medicaid process and the funding needed to help her achieve her health care goals. Because Illinois is a Medicaid recovery state, the state could file a lien on the property to get paid back if we were to qualify her for Medicaid. Another layer of difficulty was added when the children decided they didn't wish to keep the house and maintain its operational costs. The mother was moved to a nursing facility, and the home was sold and liquidated. At that point, she had to be removed from Medicaid and have her care paid through the proceeds from the home sale.

Nursing facilities typically cost around \$14,000 a month, so the money could be spent relatively quickly. Fortunately, we worked with our client to devise a legally sound and transparent way to work with the state to save the family about half of the home sale profits and allow the mother to successfully reapply for Medicaid after a few months. I won't outline the specific methods we employed — both to protect the unique details surrounding this case and to avoid relaying information that could be misinterpreted as applicable to *all* similar situations — the successful outcome we achieved was only possible through the client's diligence in coming to us for help.

Conversely, we recently worked with a client who wasn't as fortunate. She had moved in with her parents a few



years back to help care for them, but the time had come for them to move to a facility. Although she was aware that the home — worth \$350,000 — was an exempt asset for qualifying for Medicaid, she was unaware of our state's recovery provisions. Sadly, there was little we could do at this stage of the process. As a result, the house is no longer theirs, and our client essentially lost \$350,000. This conclusion could have been avoided by consulting with our firm years ago.

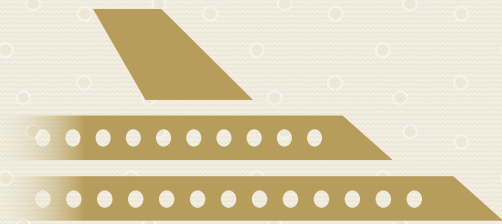
These stories are just two examples of the situations we're presented with daily. No two Medicaid-related cases are alike, so you must seek guidance for tailored solutions for your unique circumstances. Most importantly, I urge you never to rely on anything you read online and attempt to address these matters on your own.

Your parents worked so hard and sacrificed so much to pay off their mortgage. They deserve more than to see it all taken away over one bad decision. Contact us today to ensure that your family's financial future is protected.

847-818-9084

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Bon Voyage!



TURN YOUR DREAM CRUISE INTO REALITY

As we grow older, life shifts and creates new opportunities we may not have had before — like the chance to finally turn our travel dreams into reality. For many, few travel experiences compare to the comfort and excitement of a luxury cruise, and these four tips can help make your dream cruise happen.

Choose the right cruise line.

With luxury cruises, it's essential to compare lines to get your preferred experience and the most bang for your buck. Consider your personal preferences, but remain flexible with accommodations. A little research will help you find the perfect fit.

Plan your perfect itinerary.

There are many cruise options, so planning an itinerary aligned with your interests and comfort level is easy. River cruises, for example, are perfect for scenic travel, while

ocean cruises provide access to exotic ports of call. River cruises are also quieter and more intimate. If you prefer a lively atmosphere with plenty of activities, an ocean cruise is the better option.

Book smart for the best deals.

Just because a cruise offers luxury accommodations doesn't mean your trip has to break the bank. Take advantage of early-bird deals, off-peak pricing, and loyalty programs to save big. Some companies even include airfare! You can also save with discounts for seniors and military members.

Your adventure awaits!

A cruise offers the ultimate way to see the world, from exploring iconic cities to relaxing on scenic rivers or enjoying stunning ocean views. Now is the perfect time to embrace new adventures on a luxury cruise.

When Words Won't Work *Inside the Cohabitation Conundrum*

In today's multifaceted culture, it's increasingly common for couples to put off marriage — or not get married at all — and simply live together under one roof without making their union official. In many cases, both partners have come to a verbal understanding regarding who has the right to their shared property if one of them passes away. Unfortunately, these arrangements are meaningless in a court of law.

Here's an example. An unmarried couple has lived together in the same house for many years. Although they've never walked down the aisle, the couple's respective families treat them as one of their own. One day, the partner whose name is on the deed unexpectedly passes away. The surviving partner suddenly needs to secure the future of their home, which they contribute to financially by paying part of the mortgage. While attempting to get the house put in their name, they are informed by their partner's mother — the deceased person's direct heir — that she is the estate administrator, has hired an attorney, wants ownership of the home, and intends to give them 30 days to vacate the premises. Does the surviving

partner have any legal standing in this situation? Unfortunately, the answer is *no*. Even though the surviving partner has been part of the household and contributed money toward it, a judge typically wouldn't care about that history without a written agreement between both partners in place.

Legal agreements may be unromantic, but they are essential to protecting both partners' interests. If you're an unmarried couple sharing a home, you must treat your relationship like a business and have at least a cohabitation agreement. Ideally, an estate plan should also be devised to further cement your respective wishes and draw a distinct and enforceable line between finances, property, and emotion.

Please contact us today to discuss your specific cohabitation situation and how to create a personalized plan for your protection and peace of mind.



THE GIFT OF GIVING

Charitable Choices in Estate Planning



Estate planning is an essential tool for preserving your legacy, but it can also be used to help others.

The Worldwide Day of Giving — a global holiday created in 2010 to encourage people to volunteer, donate to charities, or perform other acts of altruism — is on June 15 this year. In the spirit of the occasion, we'd like to provide a few insights into the benefits of charitable giving as part of your estate plan.

In addition to providing for your loved ones upon your passing, your estate plan could be used to provide support to your local church, your alma mater, or even the local animal shelter — anyone or anything that could benefit from what you leave behind. It could also be used as a positive solution to potential family conflicts that may arise over the distribution of your assets and provide a good example for your loved ones to follow when they create their legacy plans.

Charitable giving is also an excellent option for anyone who has put off devising an estate plan because they don't believe they have anyone to leave their assets to. In these rare cases, the deceased's assets could get tied up in probate for years until a random relative is found or stay in the state of Illinois' coffers until someone makes a claim. Creating an estate plan with charitable provisions enables anyone to make good use of their assets and leave a valuable legacy when they don't have more traditional beneficiaries.

Above all, designating part of your estate plan to a charitable organization can help ensure your legacy benefits your community beyond your immediate family members.

A variety of charitable planning options are available. Please contact us today to learn more about how to explore these opportunities — including the potential tax incentives they provide — and to leave a meaningful mark on the world after you're gone.

UPCOMING EVENTS

Please call us at 847-818-9084 for more information on either event.

'8 Critical Mistakes' Client Seminar

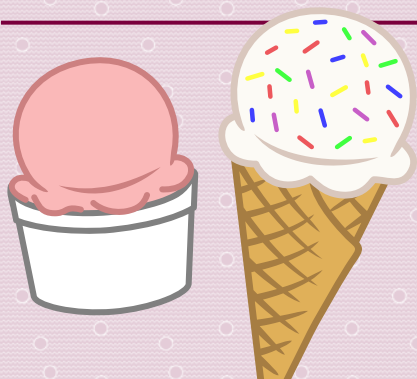
We invite you to join our free workshop, "8 Critical Mistakes: How Clients Destroy Their Estate Plans and What You Can Do About It," where we will discuss important pitfalls we see in many clients' estate plans.

Wednesday, July 16, 6–7 p.m.

First Floor Conference Room, 3701 Algonquin Rd.

Rolling Meadows, IL 60008

Refreshments will be served.



You're Invited! 🍦

Join us for Ice Cream Day — a sweet way for us to say thank you! Stop by for a scoop (or two!) and let's celebrate YOU! 🎉

Thursday, July 24, 2–5 p.m.

3701 Algonquin Road, Suite 1070, Rolling Meadows, IL 60008



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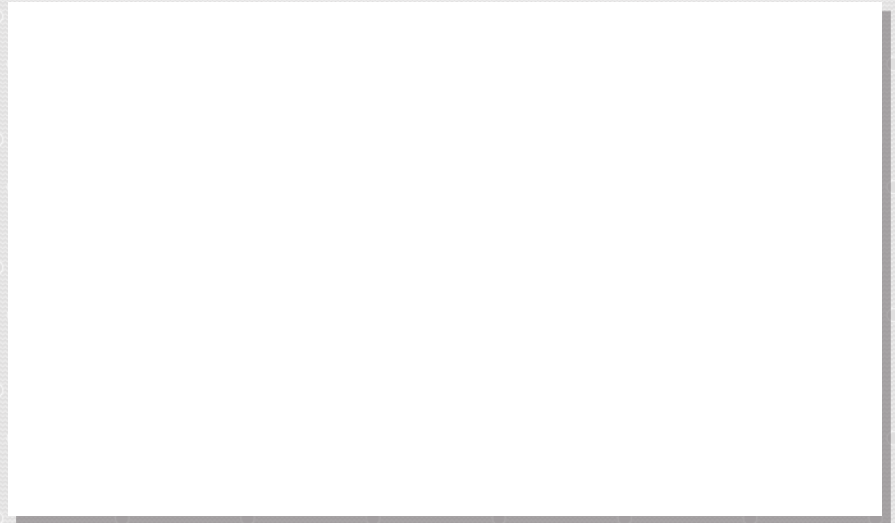
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BUFF, PATCH, AND POLISH RESTORE YOUR HARDWOOD FLOORS LIKE A PRO

Hardwood flooring is one of the most popular options when designing or renovating a home. It's incredibly durable, but that doesn't mean it's impervious to damage. Moving bulky furniture, wearing workboots or high heels, and letting your animals sprint through the house with long claws can leave your hardwood floors covered in scratches. Replacing it can be expensive, so your next best option is to repair the damage yourself.

Depending on the level of damage, you can use these tricks to help your hardwoods feel like new.

Simple Touch-Ups

After years of walking on your hardwood floors, you will notice a few

scuffs and scratches. These are easy to take care of on your own. Using a soft cloth, apply a small dab of coconut oil to your floors and rub it in a small circular motion. After it sits for about five minutes, your floor will regain its shine. For minor scratches, you can use a touch-up pen or wax stick to fill in and cover any blemishes.

Deeper Scratches

Once the scratches and scuff marks become more pronounced, you'll need to exert more effort. Start by using fine steel wool to buff out any scratches. Just be sure you don't push too hard! This will also remove the very top layer of wood, so you may need to apply some wood polish afterward to ensure your floor

retains its shine. If that doesn't work, you can also try wood putty. Start by cleaning the scratch before using a putty knife to place the wood putty into the gap. Let it dry, and sand it with fine-grit sandpaper until it's level with the rest of your floor. You'll then want to apply a shellac finish over the repaired area to further protect your floor.

The Point of No Return

If the years have really beaten up your floor, you'll need to take more drastic measures. To unveil fresh wood, sand the area with fine-grit sandpaper or an orbital sander. Once again, don't go too deep. After sanding, wipe the dust from the area before finishing it with a matching stain and seal.