

MSBA ELDER LAW SECTION E-NEWSLETTER

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ELDER LAW NEWS

Elder Law Case Update Article by David Rephan of Chestnut Cambronne, PA

I. MEDICAL ASSISTANCE

a. Minnesota

Appellant v. Wright County Human Services, Decision of State Agency on Appeal, Decided April 24, 2019.

Attorney Jill Adkins brought this successful appeal against Wright County for its denying Medical Assistance nursing home benefits for her client. In 1974, as part of her divorce, Appellant received a partial interest in her homestead. Appellant's long-time domestic partner lived together with Appellant in her homestead for 37 years. In 2017, after Appellant received the remaining interest in the homestead pursuant to her divorce, Appellant and her partner asked an attorney to add the partner to the title as a joint owner. Appellant did not need care at the time and did not anticipate needing care. Appellant's partner contributed to the expenses and upkeep of the property since she began living in the homestead in 1980 and because she was younger, did much of the physical work in the home and the surrounding six acres. Wright County imposed a penalty for an uncompensated transfer of half the value of the home. On appeal, the HSJ concluded the gift of the half-interest in the homestead was for "other valuable consideration," which is one of the transfer penalty exceptions for the transfer of an interest in a homestead, and reversed the denial of Medical Assistance by Wright County.

In Re the Matter of: Esther Schmalz, 2019 WL 3770834 (Minn. App. 2019) **Review granted October 29, 2019**

Attorney Laura Zdychneec brought this appeal against the Commissioner of Minnesota DHS. DHS determined Esther Schmalz was ineligible for Medical-Assistance long-term care ("MA-LTC") benefits due to the life estate interest owned by Esther, the "institutionalized spouse", and her husband, Marvin Schmalz, the "community spouse". The district court reversed this determination and the Court of Appeals of Minnesota affirmed the district's court decision.

Between 1987 and 2002, Esther and Marvin sold three parcels of farm land to their sons reserving a life-estate interest for themselves in each parcel. In 2015, Esther entered a long-term

care facility while Marvin continued to reside in the homestead property. In 2017, Esther applied for MA-LTC benefits in Renville County. The county determined the couple's assets included their life-estate interests in the three conveyed farmland parcels. Esther appealed to the Commissioner of DHS, challenging this determination. After an evidentiary hearing with a human services judge (HSJ), the Commissioner adopted the order concluding that the life-estate interests would not count toward Esther's asset limit for MA-LTC eligibility because of an exemption under Minn. Stat. §256B.056, subd. 4a.

The case was remanded back to Renville County, who determined that Esther's life-estate interests were not counted, but Marvin's life-estate interests were counted. Esther appealed. The HSJ and Commissioner affirmed the county's decision and denied Esther's application for MA-LTC benefits. Esther appealed to the district court, which reversed the decision and concluded the language of Minn. Stat §256B.056, subd. 4, includes Marvin's life-estate interests as well. The case was appealed to the Court of Appeals of Minnesota.

Before the Court, the Commissioner argued that the term "individual" in Minn. Stat §256B.056, subd. 4 only pertained to a "medical-assistance applicant," and did not cover the community spouse or non-applicants. The Commissioner further argued that from a policy perspective, including the community spouse in the definition would "allow the community spouse to retain an unlimited amount of real property while taxpayers fund MA-LTC benefits for the institutionalized spouse." Esther argued the term "individual" included both the institutionalized and community spouse.

The Court ruled for Esther, interpreting the Minnesota Legislature's decision to use the word "individual" instead of a more restrictive phrasing as the legislature's intent to not limit the reach of Minn. Stat. §256B.056, subd. 4a to only medical-assistance applicants. The Court concluded the unambiguous language of Minn. Stat. §256B.056, subd. 4a provides that the life estate of both the community spouse and the institutionalized spouse, barring an intent to sell, is deemed not salable and is therefore excluded from the institutionalized spouse's asset limit.

b. Other Jurisdictions

***Stewart v. Azar*, 366 F.Supp.3d 125 (D.D.C. 2019) (Appealed filed *Ronnie Stewart, et al v. Alex Azar, II, et al*, D.C. Cir., No. 19-5095, April 11, 2019) ("*Stewart II*")**

This is one of several state cases challenging Medicaid Waiver amendments. In this case, the D.C. District Court held the reapproval of Kentucky HEALTH, a waiver program created by Kentucky to comprehensively transform its Medicaid program, was both contrary to the Medicaid Act and arbitrary and capricious.

Stewart v. Azar is the second round of class-action litigation regarding a § 1115 approval of Kentucky HEALTH. In a prior decision, *Stewart v. Azar*, 313 F.Supp.3d 237, 243 (D.D.C. 2018) ("*Stewart I*"), the Court found the "Secretary never adequately considered whether Kentucky HEALTH would in fact help the state furnish medical assistance to its citizens" and thus "promote a central objective of the Medicaid Act." The Court vacated the approval and remanded the program to Department of Health and Human Services ("HHS") for further review.

Following the remand and an additional notice-and-comment period, the HHS Secretary reapproved the program on the basis that, if Kentucky HEALTH was not approved, more people would lose coverage than if the program was approved. The class plaintiffs again challenged this reapproval, maintaining the Secretary had still not adequately considered Kentucky HEALTH's likelihood to cause significant coverage loss.

The class plaintiffs' main argument was the Secretary's reapproval of Kentucky HEALTH was arbitrary and capricious primarily because it did not adequately consider whether the § 1115 waiver promotes the objectives of the Medicaid Act. The Court looked at the statutory scheme of the Medicaid Act and the Affordable Health Care Act. It also reexamined its earlier decision in *Stewart I*, as well as the HHS and its Secretary's actions following the remand. The Court found that under § 1396-1 of the Medicaid Act, the central objective of the Act is to furnish medical assistance to the populations covered by the Act. Therefore, under the § 1115 waiver, the Secretary must adequately consider any program's implications for such assistance or coverage.

Next, the Court reviewed the Secretary's analysis of the objectives of the Medicaid Act in reapproving Kentucky HEALTH. It found the Secretary failed to adequately analyze Kentucky HEALTH in terms of the Medicaid Act's objectives and the consequences of reapproval. Therefore, the Court once again vacated the reapproval and remanded to the HHS. This decision is being appealed.

II. SPECIAL NEEDS TRUSTS

a. Minnesota

***Pfoser v. Commissioner of the Minnesota Department of Human Services* (Minn. Ct. App., No. A19-0853, July 1, 2019)**

***Pfoser v. Harpstead*, 939 N.W.2d 298 (Minn. Ct. App. 2020)**

Review granted March 25, 2020

Attorney Laurie Hanson, on behalf of David Pfoser, challenged the Minnesota DHS's determination that the transfer of assets by individuals age 65 or older into pooled special needs trusts are uncompensated transfers for Medical Assistance eligibility because the transfer does not constitute "fair market value." The district court held that the DHS's decision was arbitrary and capricious and unsupported by substantial evidence, and that David Pfoser received fair market value for the transferred assets in the form of an "immediate vested equitable interest" in the trust assets, and the DHS appealed this decision.

The court of appeals affirmed the district court's decision, holding that when a medical assistance recipient challenges a transfer penalty for having transferred assets into a pooled special-needs trust, DHS must make a factual determination, based on the evidence, whether a "satisfactory showing" was made that the recipient "intended to dispose of the assets either at fair market value or for other valuable consideration." In making that determination, DHS must consider evidence of the asset's fair market value at the time of the transfer and evidence of other valuable consideration received by the recipient before, during, and after the transfer into the pooled special-needs trust.

First, DHS committed an error of law by limiting its fact-finding to the time the transfer was made. DHS should have considered compensation Pfoser received *after* the transfer into the pooled special-needs trust. Second, DHS failed to consider evidence that Pfoser received “other valuable consideration,” which included a list of one-time and ongoing expenditures for his benefit that medical assistance would not cover. The court of appeals also held that characterizing the pooled special-needs trust as an irrevocable trust did not automatically lead to a transfer penalty. A per se rule against transferring assets into an irrevocable trust “is inconsistent with the fact-specific determination required by the asset-transfer exception.” Finally, DHS erred when it failed to consider the value of Pfoser’s equitable interest.

In sum, the record showed Pfoser intended to receive other valuable consideration in exchange for his transfer of funds into the pooled special-needs trust.

III. FINANCIAL EXPLOITATION

Reece v. Wells Fargo Bank, N.A., 2019 WL 2612745 (Ca. Ct. App. 2019)

The Court of Appeals of California held, in part, that a reverse mortgage lender may be liable for financial abuse of an elderly borrower when the lender failed to provide the mortgagor with the statutory required counseling.

The issue surrounding the liability of a reverse mortgage lender for failure to meet the counseling requirement is fairly new. Some jurisdictions have stated the failure to meet the counseling requirement does not in itself provide the mortgagor with a private cause of action, so this decision provides a possible solution to this problem.

In the fall of 2008, Stella, an 82-year-old homeowner, entered into a reverse mortgage agreement with Wells Fargo Bank. At the time, she had substantial physical and mental limitations that restricted her ability to read, understand, and carry out normal activities. It is alleged that Wells Fargo knew or should have known that Stella had limited capacity. Furthermore, when she entered into the reverse mortgage agreement, federal regulations required that she receive counseling from a HUD qualified counseling agency that was not employed by, associated with, or compensated by Wells Fargo, the lender. However, Wells Fargo failed to provide Stella with a list of qualified counseling agencies, and instead sent John Couste, a person employed by, associated with, or compensated by Wells Fargo, to provide counseling. Further, Couste did not meet other qualifications for a reverse mortgage counselor and had not completed the mandatory HUD education course. It was alleged that Stella felt pressure and unduly influenced to take out the reverse mortgage, and, at the time of the agreement, was unable to manage her financial resources and resist fraud or undue influence.

Though federal regulations and statutes do specifically provide a person with a private cause of action when a lender violates this requirement, the California Court of Appeals found that an individual may have a cause of action for elder financial abuse if the lender fails to meet this requirement. The Court held that, based on the circumstances, the allegation that Wells Fargo

intentionally provided improper and deficient counseling with the intent to defraud Stella was sufficient to allege a cause of action for elder financial abuse.

IV. VETERANS ADMINISTRATION

***Procopio v. Wilkie*, 913 F.3d 1371 (Fed. Cir. 2019)**

The Federal Circuit Court of Appeals, interpreting Congressional intent, overruled *Haas v. Peake* and held that those who served in the 12 nautical mile territorial sea of the Republic of Vietnam are entitled to the Agent Orange Act's presumption of service.

Procopio v. Wilke is a landmark case that finally granted “blue water” Vietnam veterans the same presumption of service enjoyed by Vietnam veterans that served on land and in “brown water.”

The case came before the Federal Circuit Court of Appeals after a decision by the Court of Appeals for Veterans Claims denying Alfred Procopio, Jr. service connection compensation benefits for prostate cancer and diabetes mellitus as a result of exposure to an herbicide agent, Agent Orange, during his Vietnam War era service in the United States Navy. The Court of Appeals for Veterans Claims decision resulted from a 1993 Department of Veterans Affairs regulation, 38 C.F.R. § 3.307(a)(6) (1993), that stated “‘Service in the Republic of Vietnam’ includes service in the waters offshore and service in other locations if the conditions of service involved duty or visitation in the Republic of Vietnam.” Furthermore, in an earlier case, *Haas v. Peake*, the Federal Circuit Court of Appeals upheld the agency's regulation.

The Federal Circuit Court of Appeals reexamined its earlier decision and again looked at 38 C.F.R. § 3.307(a)(6) (1993) and the Agent Orange Act. However, unlike its earlier decision in *Haas*, the Court found that the Agent Orange Act is unambiguous. Further, the Court stated that the earlier *Haas* court “went astray when it found ambiguity in § 1116 based on ‘competing methods of defining the reaches of a sovereign nation’ and the government's urged distinction between Regulations 311 and 313.”

While no judge on the Court's panel found that the veteran's benefits should be denied, the concurring Judge opined that the Agent Orange Act is ambiguous, but the VA's interpretation is unreasonable. However, due to the passing of the Blue Water Navy Vietnam Veterans Act of 2019, Congress unambiguously announced that those who served offshore in Vietnam were entitled to the Agent Orange Act's presumption of service.

V. MEDICARE

***Bagnall v. Sebelius and Alexander v. Azar* (D. Conn., 3:11-CV-01703) *Alexander v. Azar*, 3:11-CV-1703 (MPS), 2020 WL 1430089 (D. Conn. Mar. 24, 2020)**

This case involved a lawsuit over the Medicare “observation” status issue that has long plagued seniors and persons with disabilities. Judge Michael P. Shea of the U.S. District Court of Connecticut recently summarized the history of the litigation:

This case is now approaching its eighth year. It has been to the Circuit and back, through two motions to dismiss, through two lengthy periods of discovery, and survived two rounds of summary judgment. I have certified a class, reconsidered that decision, and declined to decertify the class. All of the named Plaintiffs who were alive when the case was filed have since passed away. The time for motion practice is over. I will hold a telephonic status conference on April 3, 2019 at 11:00 AM to choose a trial date. I will not move that date once it is established.

Alexander v. Azar, 370 F.Supp.3d 302 (D. Conn. 2019). The case was finally argued on August 12, 2019. Judge Shea held that “class members who were initially admitted as inpatients by a physician but whose status during their stay was changed to observation, have demonstrated that the Secretary is violating their due process rights.” However, class members who were initially placed on observation status and never admitted as inpatients failed to prove their due process claims because.

Judge Shea ordered the Secretary to establish a procedure that will allow the following modified class of Medicare beneficiaries to challenge decisions by hospitals to place them on observation status:

All Medicare beneficiaries who, on or after January 1, 2009: (1) have been or will have been formally admitted as a hospital inpatient, (2) have been or will have been subsequently reclassified as an outpatient receiving “observation services”; (3) have received or will have received an initial determination or Medicare Outpatient Observation Notice (MOON) indicating that the observation services are not covered under Medicare Part A; and (4) either (a) were not enrolled in Part B coverage at the time of their hospitalization; or (b) stayed at the hospital for three or more consecutive days but were designated as inpatients for fewer than three days, unless more than 30 days has passed after the hospital stay without the beneficiary’s having been admitted to a skilled nursing facility. Medicare beneficiaries who meet the requirements of the foregoing sentence but who pursued an administrative appeal and received a final decision of the Secretary before September 4, 2011, are excluded from this definition.

VI. MISCELLANEOUS

***Brown v. District of Columbia*, 928 F.3d 1070 (D.C. 2019)**

In this class action case, a D.C. Circuit Court of Appeals held that D.C. bore the burden of proving unreasonableness to the requested accommodation once the disabled individual had shown the District’s treatment professionals determined that community placement was appropriate and transfer from institutional care to a less restrictive setting was not opposed by the affected individual.

***Anderson v. Ghaly*, 2019 WL 3227461(9th Cir. 2019)**

***Anderson v. Ghaly*, 15-CV-05120-HSG, 2020 WL 225343 (N.D. Cal. Jan. 15, 2020)**

The Ninth Circuit Court of Appeals, applying the factors articulated in *Blessing v. Freestone*, held that FNHRA's provision for hearings on appeals of transfers and discharges of nursing

home residents gives rise to a statutory right enforceable under section 1983, which includes the opportunity for redress following a favorable appeal decision. The Ninth Circuit remanded the case for further proceedings because the complaint did not allege a plausible violation of the FNHRA appeals provision.

On remand, the district court denied the defendant's motion to dismiss the first amended complaint. First, the district court held that each plaintiff had Article III standing. The court found that each plaintiff's "inability to return to his desired home and engage in familiar interactions constitute[d] a concrete and particularized injury-in-fact." The court also found that the plaintiffs' injuries were fairly traceable to the defendant's conduct; "[a]ccording to Plaintiffs, if Defendant were to require either DHCS or CDPH to enforce readmission order by, for example, withholding funds from noncompliant nursing facilities, the Resident Plaintiffs could return home." Finally, the court found that the plaintiffs' harms would be redressed by their requested injunction, which would allow the plaintiffs to return to their previous nursing homes.

In response to the defendant's failure to state a claim argument, the court found in favor of the plaintiffs because the amended complaint "alleged that there is no state-provided process capable of enforcing DHCS's readmission decision, whether it be through a state agency or through the state judicial system,"

***Alexander v. Harris*, WL 2147281 (2d Cir. 2019)**

***Alexander v. Harris*, 278 So. 3d 721 (Fla. Dist. Ct. App. 2019), reh'g denied (Aug. 26, 2019)**

The Second Circuit Court of Appeals held that the spendthrift provisions of a special needs trust ("SNT") were unenforceable against a valid support order, and, although the trial court could not compel the trustee to make distributions to or for the beneficiary, any discretionary distributions that were made by the trustee were subject to a continuing garnishment for payment of child support regardless of whether the distributions were made to the beneficiary or directly to a third party.

Contributed by David Rephan.

Southern Minnesota Regional Legal Services Announcement

Emily Flesch joined the elder law team at Southern Minnesota Regional Legal Services on May 11, 2020. Emily will represent older clients eligible for legal help in SMRLS' metro and southwest regions. She works on community legal education for older people in social and economic need throughout SMRLS' service area. Emily served as a student member of the Elder Law Section governing council in 2017-2018 and edited the section's newsletter before spending the last two years clerking with the Minnesota Court of Appeals.

Contributed by Laura Orr.

Local Legal Aid Provider Support

Please consider donating time or money to support the work of your local legal aid providers. The following organizations emphasize elder justice or provide legal services funded in part under the Older Americans Act:

- [Anishinabe Legal Services](#) (serving people living on or near the Leech Lake, Red Lake, or White Earth Reservations, regardless of ethnicity)
- [Legal Aid Service of Northeastern Minnesota – Senior Citizens’ Law Project](#) (serving older people in 7 northeastern Minnesota counties)
- [Legal Services of Northwest Minnesota](#) (serving people in 22 northwestern Minnesota counties)
- [Mid-Minnesota Legal Aid](#) – Senior Law Project (serving older people in 26 central Minnesota counties, including 2 metro counties)
- [Minnesota Elder Justice Center](#) (statewide)
- [Southern Minnesota Regional Legal Services](#) - Legal Advocacy for Older People (serving older people in 33 southern Minnesota counties, including 5 metro counties)
- [VOA Estate & Elder Law Services](#) (statewide)

Contributed by Laura Orr.

Save the Date: Annual Elder Law Section Meeting

The MSBA Elder Law Section’s annual meeting will take place on **Friday, June 19, 2020, at 3:30 P.M. via teleconference**. Section members may attend by telephone. Call-in information and a slate of nominees for leadership positions will be distributed by email at least 10 days prior to the meeting. Nominations of candidates for leadership positions will also be accepted during the meeting. The annual Section meeting will be followed immediately by the June Elder Law Governing Council meeting.

Contributed by Marit Peterson.

JUNE CLE AND EVENTS

All bar association programming is currently REMOTE-ONLY participation. There is NO in-person attendance.

For the bar association statement on COVID-19 click [here](#). Thank you.

REMOTE ONLY: How Not to Pay the County a Dime: Strategies to Limit Estate Recovery

Thursday, June 11, 2020 from 12:00 P.M. to 1:00 P.M. via Zoom. Register in advance by clicking [here](#).

Presenter: Pook Grathwol of Chestnut Cambronne

REMOTE ONLY: Medical Assistance for Home and Community-Based Services

Thursday, June 18, 2020 from 12:00 P.M. to 1:00 P.M., Remote Only.

When applying for Medical Assistance benefits, clients requiring long-term care are often directed toward Medical Assistance for Long-Term Care or the Elderly Waiver program. However, there are a number of lesser-known programs (with many acronyms) available to clients to provide services for a multitude of health care needs. The focus of this presentation is an examination of the “alphabet soup” of Medical Assistance programs available for clients in Minnesota, including the eligibility requirements, benefits available, and different examples of clients who could benefit from these programs.

Presenter:

Lauren L. Fink of Maser, Amundson & Boggio, P.A.

The deadline to register is June 16, 2020. To register, click [here](#).

Please submit upcoming CLEs to mmoen@chandlerandbrown.com.

ELDER LAW SECTION ACTIVITIES

ADVOCACY SUPPORT COMMITTEE:

The Advocacy Support Committee meets at the offices of Long, Reher, Hanson & Price. Telephone participation is available. Please contact committee chair Laura Zdychnec at lzdychnec@mnelderlaw.com for call-in instructions or more information.

Upcoming meeting dates to be announced.

AWARDS COMMITTEE:

The Awards Committee Chair is appointed by the incoming Council Chair after the Council Chair takes office each year. The current Committee Chair is Julian J. Zweber. Members of the Committee are appointed each year by the Council Chair on recommendation by the Committee Chair as approved or modified by the Council Chair. The Committee usually meets from July to October of each year, at the call of the Committee Chair. The Committee solicits nominations from Section members for Section Awards and determines what Awards should be presented at the next Elder Law Institute sponsored by MN CLE, usually in October of each year. For more information, please contact Julian J. Zweber at 651-646-4354 or julianzweber@qwestoffice.net.

COMMUNICATIONS COMMITTEE:

The Communications Committee oversees the monthly Elder Law E-Newsletter and the Elder Law Section website. The committee is composed of the e-newsletter editor, web coordinator, associate editors, contributors, and any other interested section members. Meetings are to be held every other month to review issues related to the e-newsletter and the website, and to conduct an annual member survey. Upcoming meetings for the Communications Committee are as follows:

June 10th, 2020 at 9:00 a.m.

August 12th, 2020 at 9:00 a.m.

The meeting location is Julian's Office at 1360 Energy Park Drive, Saint Paul, MN 55108 in the First Floor Conference Room. If you're not able to attend in person, please contact Mardell Presler or Tram Nguyen to request a conference call in number, mardell@mardellpreslerlaw.com or tnguyen@mnbars.org.

Anyone interested in serving on the committee or suggesting ideas for the newsletter or website may contact Communications Committee chair Mardell Presler to mardell@mardellpreslerlaw.com or 763-360-7833.

DIVERSITY COMMITTEE:

Meetings will be held via teleconference on the second Tuesday of every month from 9:30-10:15 am.

Please contact Maya Missaghi at maya@mmlawservices.com if you would like to join!

EDUCATION COMMITTEE:

The Education Committee plans CLE seminars sponsored by the Elder Law Section and meets via conference call on the second Thursday of each month from 9:30 A.M. to 10:30 A.M.

If you have never participated in planning a section CLE before, June is your time to join!

During the summer, the committee starts dreaming about how we want to grow and learn as a section starting in September! Upcoming meetings for the Education Committee are as follows:

June 11th, 2020 at 9:30 a.m. - (Participants may call in at 1-877-226-9607 and enter Conference ID 8157976029 to join)

If you would like to participate, please contact the committee chair, Laura Orr at laura.orr@smrls.org.

LAW STUDENT COMMITTEE:

The Law Student Committee helps attract students to become the next generation of elder law attorneys. The committee meets as needed during the school year. Our goal for this bar year is to host a panel event at each local law school where students can ask questions about the practice of

elder law. We are always looking for other ways to engage students, so please feel free to attend meetings and make suggestions.

If you have questions about the committee, contact Jack Austin at jack@hawkelawgroup.com.

LEGISLATIVE COMMITTEE

The Elder Law Section's Legislative Committee monitors proposed legislation at the state and federal level affecting the Section's membership; reviews legislative proposals put forward by other Sections and Committees of the MSBA; reviews proposals from other groups, agencies and individuals; keeps Section membership informed of proposed legislation; provides comment and other responses to legislative proposals; makes recommendations concerning support of, or opposition to, legislative proposals; develops relationships with other organizations affected by legislation of interest to the Section; acts as a coordinator for the Section's legislative activities; develops legislative proposals for inclusion in the MSBA legislative agenda; provides witnesses and testimony in support of, or opposition to, legislative proposals; and in general supports the MSBA and the Section's legislative agendas. Members interested in joining the committee or learning more about the legislative issues being reviewed by the committee may contact the Legislative Committee Chair, Suzy Scheller, at (763) 647-0042 or suzy@schellerlegalsolutions.com; or Vice-Chair, Julian J. Zweber, at (651-646-4354) or julianzweber@qwestoffice.net.

Please contact Tram Nguyen at tnguyen@mnbars.org to be added to the Elder Law Section Community Forum.

MEDICAL ASSISTANCE COMMITTEE:

The Medical Assistance Committee is a study group to analyze the members' questions and case studies and to discuss administrative policies and procedures in relation to Medical Assistance in Minnesota. For directions, or to attend by phone, please contact Traci Sherman with Pluto Boes Legal, PLLC, at tsherman@plutoboesModule.com or 507-247-5900 at least 24 hours in advance of the meeting. Topics for the meeting may be submitted to tsherman@plutoboesModule.com under the subject heading "MA Committee Topic," or faxed to 507-247-5868.

The Medical Assistance (MA) Committee meetings will be at 3:30 p.m. on the third Tuesday of even-numbered months. 2020 meetings are tentatively scheduled for the following dates:

June 23, 2020 at 3:30 p.m.

August 18, 2020 at 3:30 p.m.

October 20, 2020 at 3:30 p.m.

December 15, 2020 at 3:30 p.m.

To attend by telephone, call 1-800-226-9607 at the designated meeting time. When prompted, enter Conference Identification Number [or Participant Code] 8157976029# to be connected to the conference.

The Committee is hosted by Estate & Elder Law Service at Monroe Village, 1900 Central Avenue NE, Minneapolis, MN 55418. Parking is available behind the building and along adjacent streets. In-person attendees should enter through the door facing the parking lot behind the building. This door leads directly into the community room.

MA Committee members are invited to join the Medical Assistance Community forum at my.mnbar.org. Please contact Tram Nguyen at tnguyen@mnbars.org to be added to the community.

PRO BONO COMMITTEE:

The Pro Bono Committee, due to lack of attendance, is suspending committee meetings until further notice. Please contact Jennifer Wright, Chair, at jlinderwright@gmail.com, if you have an interest in working with the Pro Bono Committee.

STRATEGIC PLANNING COMMITTEE:

The next Strategic Planning Committee meeting date is to be announced. Meetings are held at the law office of Maser, Amundson, Boggio & Hendricks, P.A., located at 6601 Lyndale Avenue South, Suite 320, Richfield, MN 55423. Questions may be directed to Brenna Galvin at bgalvin@maserlaw.com.

VULNERABLE ADULT COMMITTEE:

Contact Marit Peterson at marit.peterson@elderjusticemn.org or 651-440-9303, if you are interested in participating in this committee.

The MSBA Elder Law Section's [Website](#) contains information about section committees and leadership. It also contains useful practice resources.

You may email Lucas Spaeth at lucas.spaeth@voamn.org to suggest changes to website content.

Please send E-Newsletter contributions by 10 p.m. on the last day of each month to Mallory Moen at mmoen@chandlerandbrown.com. The E-Newsletter is distributed on the first Monday of each month. If the first Monday occurs on a holiday, the E-Newsletter will be distributed on the following Monday.

If you do not wish to receive this E-Newsletter, send your request to be removed from the mailing list to Tram Nguyen at tnguyen@mnbars.org.

Current and prior E-Newsletters are posted on the website for the MSBA Elder Law Section and are available [HERE](#).