

When Medicaid Planning for Parent Encounters Sibling Rivalry

When an aging parent requires full time caregiving, costs begin to skyrocket. The increased need for home health care is financially exhausting, even when caregiving is divvied up among the parent's adult children. Inevitably, the children will have disagreements regarding the type of care, as well as how to finance such care.

The following is a common scenario: Betty has four children who have been caring for their nonagenarian mother for a few years. However, Betty's health has declined to a point where she requires full time professional nursing care. All of Betty's children agree that a plan of action must be taken to help protect their mother's assets so that her resources are not depleted to the point at which she must sell the family home.

Betty has three daughters and one son. Being the youngest, Betty tends to favor her son's advice, which may cause a problem when the siblings begin developing a plan for their mother's long-term care. Unlike his three sisters, who are considering Medicaid planning to protect mother's life savings and to obtain the level of care Betty now needs, he is against applying for Medicaid benefits. He believes it's a moral issue since it involves, in his opinion, taking handouts from the government. Additionally, the son wants to keep his mother home even though she may be better cared for in a nursing home with home health caregivers.

When President Lyndon B. Johnson signed the Medicaid program into law in 1965, it was based on a welfare model. However, since then Congress has modified the program so that today it is a mainstream safety net available to middle-class families hoping to prevent losing their life savings when 24-hour nursing care is imminent. To their own detriment, many people still think of the Medicaid program as "welfare," or an "unearned handout." Yet this belief is a misunderstanding of the laws, and it may put a loved one at risk when they refuse to apply for financial assistance to meet one's increased level of care.

Betty's daughters are trying to persuade their younger brother that Medicaid eligibility can also pay for their mother to remain at home as long as her level of care needs can be met. While all of Betty's children care about their mother's care, as well as her personal wishes, it's important that they are all aware of the consequences of not reaching a consensus between them because it could have an effect on their interactions long after Betty passes away. Sibling rivalry is counterproductive when sharing the difficult task caregiving. Additionally, the stress of caregiving for a parent often causes long-held grudges and perceived slights to cloud the judgement of the children and cause conflict. Infighting could also lead to an expensive and exhausting guardianship contest.

When a loved one's health and safety are at risk, as well as their life savings, making an uninformed judgement call isn't the best plan of action. The best thing for a family to do in this instance is to seek the experienced advice of an elder law attorney, who has accurate information to share with them so they can make informed decisions.