

Medicaid Now a Safety Net that Includes the Middle Class

By Wesley E. Wright and Molly Dear Abshire, as published in the Houston Chronicle Senior Living Section on March 21, 2012.

Many Americans believe that Medicaid is a welfare program for the indigent. When Lyndon Johnson signed Medicaid into law on July 31, 1965, the program was definitely based on a welfare model.

That all changed over time as Congress tinkered with the program. Most of the changes first surfaced in 1993, when Congress introduced spousal impoverishment laws to protect a spouse staying at home from becoming impoverished after the other spouse entered the nursing home on Medicaid. This and other modifications made the program a safety net for the middle class as well as the poor.

Unfortunately many people, especially the elderly, still think of the Medicaid program as "welfare," or a handout that they did not earn. However, this kind of thinking puts them at risk when they stay at home believing they can't get help because they have too much in the way of assets and income. Oftentimes this results in an elderly spouse caring for the other elderly spouse at home beyond their capacity to do so, soon to the detriment of both.

These Americans need help, and they deserve to get it. We all need to let them know that they don't have to live in an unsafe situation because of a misunderstanding of the laws.

Medicaid is a government support program plan for long-term institutional care, and eligibility can also pay for a person to remain at home as long as their level of needs can be met. The Community Based Alternatives or CBA program pays for in-home care for up to thirty hours per week to supplement the spouse or caregivers' schedule - allowing them to continue being a part of the community while assuring their loved one is receiving the care that they need.

In fact, as a result of Congressional changes to the program, keeping a healthy spouse's lifestyle the same as they are accustomed to is now one of the inherent benefits of long term Medicaid. Besides allowing something left over to pass on to their loved ones, like the family home, Medicaid assistance affords some peace of mind during a stressful time.

If you have aging parents or other family members, talk to them and tell them that the Medicaid program is meant to help middle class Americans like them. An experienced elder law attorney can play a significant role in helping to take the necessary steps to obtain long-term care Medicaid, as well as advising on how to avoid any decisions that would prevent or delay eligibility. Medicaid laws are some of the most complicated to comprehend. Misunderstanding or misinterpreting these laws can cost a family thousands of dollars. An elder law attorney specializing in estate and Medicaid planning is best suited to help you navigate through confusing rules and requirements and gain eligibility at the earliest possible date while preserving as much assets and income as the law allows.