New Article from Sawyer & Sawyer, P.A. Explains Strategies for Protecting Assets from Nursing Home Costs

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Sawyer & Sawyer, P.A. has released a new educational article, How to Protect Your Assets from Florida Nursing Home Costs, providing insight into the financial realities of long-term care and the legal strategies available to families concerned about preserving their assets. The article features analysis from elder law attorney Cary Moss, who has spent more than 27 years guiding families through Medicaid planning and long-term care decisions. The resource addresses widespread misconceptions about Medicare, Medicaid eligibility, and the legal tools available when a loved one requires nursing home care.

Long-term care expenses have become one of the most pressing financial concerns for aging families. According to Moss, nursing home costs in Florida now commonly range from approximately $10,000 per month to as high as $18,000 per month, often for shared accommodations rather than private rooms. These figures represent a significant increase from the $6,000 to $8,000 monthly average observed when Moss began practicing elder law nearly three decades ago. For married couples, the financial impact can be especially severe when one spouse requires full-time care while the other remains responsible for ongoing household expenses.

A central focus of the article is the widespread misunderstanding between Medicare and Medicaid. Moss explains that Medicare is a federal health insurance program primarily for individuals aged 65 and older, while Medicaid is a separate program designed to assist individuals with limited financial resources. Although Medicare may cover short-term rehabilitation in certain situations, it does not pay for long-term nursing home care. Medicaid, however, may provide coverage for long-term care when applicants meet specific financial eligibility requirements.

The article examines how Florida?s Medicaid Institutional Care Program can assist individuals who require skilled nursing care. Once approved, Medicaid beneficiaries typically contribute a monthly ?patient liability? amount based on their income, while Medicaid pays the remaining cost of care. Allowable deductions may include supplemental insurance premiums, a modest personal needs allowance for the nursing home resident, and a Community Spouse Income Allowance intended to support the spouse who remains at home.

Moss notes that many families are surprised to learn that several categories of assets may already be exempt under Florida Medicaid rules. The family homestead, for example, can remain exempt up to $750,000 in equity, and if a spouse continues living in the home, the property may remain exempt regardless of value. Retirement accounts may also qualify for exemption when distributions are structured correctly. Additional exempt assets can include one vehicle and irrevocable pre-paid funeral arrangements.

Despite these protections, Moss warns that misinformation often leads families to make decisions that inadvertently jeopardize Medicaid eligibility. One of the most common mistakes involves transferring money to children or adding family members to bank accounts in an attempt to protect assets. Because Medicaid reviews financial transfers during a five-year lookback period, such actions can create significant eligibility problems. Moss emphasizes that effective Medicaid planning relies on legal strategies that are fully disclosed and compliant with state regulations rather than attempts to conceal assets.

The article also addresses the difference between advance planning and crisis planning. For individuals planning ahead, irrevocable Medicaid Asset Protection Trusts may allow assets to be shielded once the five-year lookback period has passed. However, Moss notes that planning options may still exist even when a family is facing an immediate long-term care crisis. In many cases, the presence of a properly drafted Durable Power of Attorney allows legal strategies to be implemented quickly without the need for a court-appointed guardianship.

According to Moss, the Durable Power of Attorney often serves as the foundation for Medicaid planning. Without the authority provided in a properly drafted document, family members may be unable to restructure assets, create necessary trusts, or complete other transactions required for eligibility planning. Many individuals possess outdated or incomplete documents that lack the enhanced powers required under Florida

law, which can limit the legal options available during a crisis.

The article also highlights the importance of coordinating Medicaid planning with a broader estate plan. Moss explains that traditional estate plans may unintentionally disrupt Medicaid eligibility if assets pass directly to a spouse receiving long-term care benefits. Certain estate planning structures, such as supplemental needs trusts incorporated into a spouse?s will, may allow assets to remain available for family members while preserving eligibility for public benefits.

Sawyer & Sawyer, P.A. released the article as part of an ongoing effort to provide educational resources addressing elder law, Medicaid planning, and estate planning issues affecting aging families. The firm regularly advises individuals and families navigating long-term care decisions, financial planning for aging, and strategies designed to protect assets within the framework of Florida law.

The full article is available on the Sawyer & Sawyer, P.A. website. Reporters seeking further information or expert commentary from attorney Cary Moss may contact Sawyer & Sawyer, P.A. directly.

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