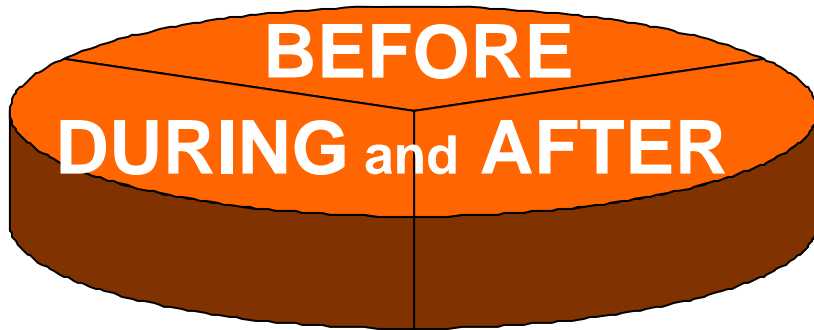


Putting the Pieces Together:

Presented by The Law Office of John L. Roberts



A Nursing Home Admission

(413) 567- 5600

MassHealthHELP.com

EstatePlansPLUS.com

BEFORE the Admission, have the authority of either

[Health Care Proxy](#)

Health Care Proxy covers all medical decisions, including psychotropic medication if needed by the resident.

Or,



If there is no Health Care Proxy

You must Petition for Probate Court

[Guardianship](#)

Massachusetts Probate Code: M.G.L. 190B § 5-309 Powers, Duties, rights and immunities of guardians, limitations

(g) No guardian shall have the authority to admit an incapacitated person to a nursing facility except upon a specific finding by the court that such admission is in the incapacitated person's best interest.

Will Psychotropic Medication be Needed? A Rogers Order from Probate Court will be required by the nursing home.

[Power of Attorney](#)

[Conservatorship](#)

DO's and DON'Ts DURING the Admission Process:

Don't think that the business office is responsible to represent your financial interests. They aren't.

If you have assets, DO NOT rely on the Nursing Home to fill out your Medicaid Application.

Don't sign things you don't have to:

Family members cannot be required to sign up as a "Responsible Party." [Read more.](#)

You do not have to sign an "Arbitration Agreement." [Read More.](#)

Do remember that under Federal Law [42 USC 1395i-3](#), Your Loved One Has Rights to:

- choose a personal attending physician (so residents may choose a doctor other than the medical director of the nursing home)
- be fully informed in advance about care and treatment and changes in care or treatment
- participate in planning care and treatment. or changes in care
- be free from seclusion, physical or chemical restraints not required to treat the resident's medical symptoms
- reside and receive services with reasonable accommodation
- participate in social, religious, and community activities
- receive notice before the room or roommate is changed

DO have information about your family member or loved one, and DO understand the particular policies of the nursing facility you have selected:

Resident's personal and insurance information

- Acknowledgment of the payment sources the facility will accept.
- Conditions for collections of non-payment
- Room rates and what they include
- Bed holding policy and associated charges
- Nursing services and therapies, equipment, pharmacy items, physician services, laundry, beautician or barber
- Telephone, cable, sitters and private nurses, and transportation services such as ambulances.
- Contracts may include a summary of services and expenses Medicare and Medicaid will and will not cover.
- Contracts often state the advance payment policy and requirements for private pay residents, co-payments, or services not provided by Medicare or insurance.
- The refund policy for private pay residents should be listed.
- You may be asked for authorization for the facility to take the resident's picture.
- You should find out if the resident's current doctor is willing to visit the resident at the nursing home on a regular basis. If the doctor will not visit the nursing home, the resident's legal representative will need to choose another doctor from the nursing home staff list.

AFTER the Admission: Make Sure You Are Using All Sources of Payment:



Some people have gone for months, spending down assets, without realizing there are ways to pay for care and save assets. Call us if you have any questions at any point of the process, BEFORE, DURING or AFTER. (413) 567-5600.

**It's never too late to take steps
that can help you and your loved ones.**

How Would You Feel if You Spent Down Assets of a Family Member and then learned the Spend Down was unnecessary? Be sure to listen to our 3 minute audio/video clip covering:

[7 Cases Where Spend Down Was Not Required to Obtain Medicaid](#)