

Latin music that is sure to lift spirits. Proceeds from the event will be used to fund legal, Medicare counseling, and community education programs designed to protect the legal rights, healthcare coverage and well-being of seniors in Alameda County. When we invest in these protections for seniors, our families and community benefit!

To purchase tickets or for more information click [FIESTA DE OCTUBRE](#)

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For More Information Contact: Dan Ashbrook at dashbrook@lashicap.org, or phone 510-832-3040

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Honoring Volunteers and 30 Years of HICAP

On June 15, at Scott's Seafood in Jack London Square, LAS recognized and celebrated the dedication of its volunteers. Notable to the afternoon was the warmhearted thank you speech from HICAP manager Janet Van Duesen to the volunteers of the HICAP program.

LAS' HICAP program relies on the commitment of volunteer counselors who become state registered and must adhere to ongoing training and education. Under Janet's management, some of the HICAP counselors have been serving LAS for 15-20 plus years! Janet also announced that because of the quality of the HICAP volunteer driven program, LAS had been able to sustain the program for 30 years. The afternoon was capped off with a surprise singing duet by HICAP advocates Diana Gray and Karen Kavanagh. They composed a volunteer song honoring HICAP and all volunteers of LAS.

Their spirited performance filled the room with joy as they brought the house down!

James Treggiari TED Talks Elder Abuse for CA Department of Social Services

LAS' Executive Director, James Treggiari was given the honor to speak on legal interventions for elder abuse at an important elder abuse awareness event organized by the California Department of Social Services on June 7, at the Tsakopoulos Library Galleria in Sacramento. The event kicked off California's Elder and Dependent Adult Awareness Month and featured an awards ceremony for winners of a media contest in which youths and adults submitted media projects addressing the theme that abuse is a human rights issue. LAS also participated in judging the media submissions, which included videos, slogans and hashtags, radio spots, and posters. Thank you to Lori Delagrammatikas from the CA Department of Social Services for organizing the event and inviting LAS to participate!



Capacity to Sign Documents By Michael Stephens, Probate, Trust & Conservatorship Real Estate Specialist with Highland Partners

One issue that Realtors and all fiduciaries must deal with is whether or not a client has capacity to sign documents. Capacity or competence may be judged differently when entering into a contract or executing a will. I recently had a situation where we met with the seller of real property to sign sales documents. He was under the influence of pain killing drugs after a major operation. On first look, the client sounded "off". We asked the doctor if the client could be weaned off of the drugs. Over 3 days the dosage was tapered off. When we met the next time, the client was able to answer a number of questions clearly. The client's sister, the



notary and I agreed he was acting “normally”. Obviously, that is a subjective determination. I then reviewed the terms of the contract with my client. He was able to understand them and displayed no evidence of being “off”. I don’t know if there is a clearly defined way to determine capacity. After all, each circumstance is unique. My thought is that if you have any doubts whatsoever, seek another opinion.



Thank You to Summer Interns Madison & Leslie

Thank you to Madison DiZinno & Leslie Anne Salvador for their legal volunteerism! Madison is a rising 2L at UC Hastings College of the Law in San Francisco. This summer at LAS, she helped the legal team with guardianship, naturalization, elder abuse, and housing. She also attended court, drafted forms and declarations, assisted client visits, completed client intake calls, and helped with referrals. “I plan to continue to volunteer with legal aid services throughout my legal career and I’m grateful for my time and experience with LAS this summer,” said Madison. Leslie Anne Salvador is also a 2L at McGeorge School of Law, University of the Pacific. This summer Leslie spent the majority of her time with the Elder Abuse Team. She also helped the legal team with guardianship, housing and public benefits matters. “I plan to use the experience I learned at LAS as a

Clinic Counselor at McGeorge School of Law's Elder, Health and Homelessness Law Clinic this Spring, and I look forward in continuing to give my time to legal aid well beyond this summer as I pursue a legal career devoted to public interest," said Leslie.



Go Ask HICAP:

A Medicare Minute with Janet Van Deusen

Q. Can a person have a different provider for their different Medicare parts? I.e. Healthnet for part A, a different provider for part B, etc.

A. When a person has Part A and or Part B that is original Medicare. They are also required to have drug coverage through a Part D plan or some other creditable coverage, but that's another story. Part D is not required, rather it's an option.

If a person chooses to enroll in a Medicare Advantage Plan (Part C) they are allowing the managed plan to take over the management of their Part A and Part B. In order to join a Part C plan the beneficiary must have both Part A and Part B. In most cases their Part A is free based on their 40 quarters of work history (or that of a spouse). They continue to pay a Part B premium of \$134. Most people have this taken from their Social Security check before they receive their monthly payment. When the person enrolls in a Part C Plan Social Security gives that \$134 to the MA Plan to manage the beneficiary's care. That's not the way it actually works. Medicare pays the MA plan a capitated rate, more like \$900/month on average to manage that member's health care needs. And this rate varies by age, region, and health status. The person is also paying

the MA Plan a monthly premium. For example Healthnet Ruby Select is \$69/month so that beneficiary is spending \$203/month on their health care (\$134 + \$69). That plan also includes their drug coverage so they are not paying any additional premium for that.

It is not possible to be in more than 1 MA Plan at a time. The beneficiary cannot, for example, have Kaiser manage their Part A and Healthnet manage their Part B. When you join a Part C plan it's a package deal. In Alameda County for 2018 6/7 MA Plans include drug coverage so all of their Medicare is rolled into 1 package. HOWEVER – If the beneficiary is not in an MA Plan then there could be 2 insurance companies involved, but not for separate management of Part A and Part B. One option people choose when they have Part A and Part B is a Medigap plan. This gives them the freedom to see any doctor who takes Medicare regardless of any MA Plan affiliation. Medigaps are offered by private insurance companies to fill in the “gaps” of things like deductibles and copays. A person could buy a Medigap from one company which will help them with their Part A and Part B coverage. This person would still need drug coverage so they can buy a Part D plan from a different private insurance company if they want to.

For more information about Medicare enrollment rules, coverage, and supplemental options, you may wish to visit the California Health Advocates website:

<https://cahealthadvocates.org> or call HICAP for an in-person counseling appointment: 1-800-434-0222.



Basic Housing Rights for Seniors: LAS New Community Education Program

LAS has added “Basic Housing Rights” to its list of community education presentations delivered at various health and human service agencies throughout Alameda County including senior centers and housing sites. This presentation is designed to educate seniors on the definitions of landlord and tenant, security deposits, tools for renting, tenant and landlord rights and responsibilities, eviction processes, and resources for problems and evictions.

If you are an organization that would like to schedule a presentation at your site, contact LAS at 510-832-3040 and ask to speak with the CE Department, or email kbrady@lashicap.org.

Community Education Calendar

Does navigating Medicare, public benefits, and low-income assistance programs feel like a maze to nowhere? Is trustworthy community education on elder abuse, citizenship, guardianship and consumer fraud of interest to you and your family? Your calendar for free education on these topics and more is always one click away when you subscribe to The Senior Leader. Click <https://www.lashicap.org/calendar/> for LAS’ community education calendar.

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