



**Who can help me if I have more questions?**

If you are 60 or older, call the Legal Services for the Elderly Helpline at

**1-800-750-5353**

to speak with a free lawyer about your legal concerns

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Free Legal Help for Maine's Seniors

Legal Services for the Elderly  
5 Wabon Street  
Augusta, Maine 04330-7040

Offices in: Augusta, Scarborough,  
Lewiston, Bangor and Presque Isle

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**Can I get help paying the costs of long term nursing care in Maine?**  
**MaineCare Rules for Nursing Care**



**Emery Olsen had a heart attack a year ago, at 80.**

He lives with his wife, Martha, in the house his father built in 1912. His Social Security and pension just cover expenses. Martha has very bad arthritis. Neither can make meals

anymore - their daughter comes by to make dinner. Emery just slipped in the bath, twice. His doctor says he needs more help. Emery thought Medicare would cover a nursing home stay. He's just heard that isn't so. He wonders how they'll pay.

Call our free Helpline to talk to a lawyer: **1-800-750-5353**

## Worried about how you can afford long term nursing care?

You might be worried about how you'll pay for costly long term nursing care, if you need it. You might think you have to be poor or spend all your money before the State will pay. Or, that you have to sell your house. That's not true. Here's the real story.

## Doesn't Medicare pay for long term nursing care?

No, not really. It only pays for up to 100 days, IF you need a very high level of care and have spent some time in the hospital first.

If you need longer term nursing care and can't pay for it, **MaineCare** pays. This is the name for the Maine Medicaid program. To get MaineCare, you don't have to be poor—just not rich enough to pay for all your care.

## How does MaineCare (Medicaid) decide when they'll pay?

MaineCare decides when to pay for long term nursing care based on 3 rules.

### Rule 1: Whether you have a “medical need”

Medical need means you need help with personal care such as walking, eating, getting into bed and bathing. If you call the State, MaineCare will send a nurse to decide if you have a medical need for MaineCare.

### Rule 2: Whether you have a “financial need”

Financial need means that your total monthly income is less than the cost of nursing care for a month. And you don't have enough savings to pay for your care. See more details below about how much cash and property you are still allowed to keep.

### Rule 3: Whether you have given away any of your property or assets within the past three to five years

When you apply for help with nursing costs, MaineCare looks at your financial records to determine if you have made any “disqualifying transfers.” Before February 8, 2006, the rule was that MaineCare would look back three years, and if you had given any money or property away in those three years, MaineCare would determine an ineligibility

period based on the average cost of care in a nursing home. The penalty would begin on the date of the transfer. Under the new rule (post 2/8/06) MaineCare will look back five years, and the penalty will begin on the date when you would otherwise qualify for MaineCare.

The new rule will be “phased in” over the next several years, and will gradually be increasing to the new five year rule.

The rules are complex and they change often. So, it might not be a good idea to give property away and then apply for MaineCare. We urge you to speak with a lawyer on our Helpline or a private lawyer who knows this law before you give away any of your property.

## If I apply for MaineCare, can I keep any savings or property?

Yes! How much you can keep depends on whether you're single or married. Here are the basic limits:

Single: You can keep up to \$8000 of savings (such as in CDs, savings accounts, etc.) plus \$2000 of any other property.

Married: You can keep up to \$12,000 of savings and property. Your spouse who doesn't need nursing care can keep enough of your combined property and income to allow a modest lifestyle.

There are **many** exceptions to the income and property limits.

\*Note that you can **also** keep your **house and a car**, whatever their values.

## Should I buy long term care insurance?

Maybe. It's not for everyone. It works best for middle class people who have savings above the limits allowed by MaineCare. Many people can't afford it or don't need it. Before you decide, learn more:

- Call us, or
- Ask a private lawyer who deals with elder issues, or
- Talk with a good financial advisor.