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*Your Trusted Planning Advisor Through Life*

**Estate & Incapacity  
Planning**

- ◆ Probate & Trust Administration
- ◆ Last Will & Testament
- ◆ Revocable Trust
- ◆ Durable Power of Attorney
- ◆ Designation of Healthcare Surrogate
- ◆ Quit Claim Deed
- ◆ Living Will

**Advocacy Services**

- ◆ Guardianship & Guardian Advocate
- ◆ Facility Residents' Rights
- ◆ Medicaid Applications & Appeals
- ◆ Veterans Benefits Counseling

**Government Assistance**

- ◆ Special Needs Trusts
- ◆ Representation of Trustees
- ◆ Protecting Lawsuit Proceeds & Inheritances to Preserve Medicaid & SSI Eligibility
- ◆ Exceptions to Medicaid Lien Recovery

*Proper Planning  
May Create Peace  
of Mind*

**Why You May Need to Decline Holiday Gifts**

A gift of cash from family, or anyone else could end up costing seniors and families with special needs thousands of dollars in government benefits and services.

Government benefits programs do not allow people to have more than \$2,000 in their name. **Here are a few tips:**

1. Do not give or accept financial gifts or assistance in the name of the person receiving government benefits.
2. Deposit gifts into a special needs trust, if the person is under age 65 or a pooled trust for those over age 65, that benefits the adult.
3. Note: *there is no difference between gifts of cash, bonds, stock, property, inheritance, annuities, art and automobiles;* they all count against the person's net worth.

**Setting up an appropriate trust tailored to the person's needs is the first step in creating a life care plan.**

4. Carefully monitor the person's assets. *Interest appreciation could cause the account to exceed the \$2,000 limit.*
5. Consult with an attorney like Stephanie who specializes in long term care planning about the feasibility of establishing an appropriate trust to preserve assets
6. Review life insurance policies to be sure it does not benefit the person directly; these should be paid into the special needs trust.
7. A trusted family member may become the successor trustee, if another family member is unable or unwilling to continue to serve due to their own aging issues or has passed away.

Stephanie L. Schneider Board Certified Elder Law Attorney is a former Chair of The Florida Bar Elder Law Section. She specializes in legal planning issues for all ages. These include estate & long term care planning; asset preservation (Medicaid), guardianship (adults & minors) special needs trusts, probate administration and veterans benefits eligibility counseling. Based in Plantation, FL, Ms. Schneider can be reached at 954-382-1997 or [sschneider@fl-elderlaw.com](mailto:sschneider@fl-elderlaw.com). Visit <http://www.fl-elderlaw.com>.