



LAW OFFICES
OF JEROLD E. ROTHKOFF

Practice Limited
To Elder and Disability Law

THE ROTHKOFF QUARTERLY

January 2010

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Ten Years of Personal Fulfillment

By Jerold E. Rothkoff

February 2010 will mark the ten-year anniversary of the Law Offices of Jerold E. Rothkoff. I could not have imagined, on February 1, 2000, where the law firm and myself would be professionally today.

The Rothkoff Quarterly has and continues to be an outlet to express my thoughts and desires, specifically related to caring for loved ones with chronic illnesses. I have attempted to write about real life events that people can relate to. During the ten-year period, I have written about, among other topics, caring for our disabled dog, the death of my father and grandmother, multiple articles on caring for a loved one, and of course, baseball, particularly related to using baseball as a means to unite the generations.

Our daughters, Liza and Julia, were born in 1998. As a means to support my family while my wife stayed home with our newborn twin daughters, I explored the potential of opening my own law office. Given the previous experience with my grandmother (see Fall 2009 newsletter), as well as the ever-increasing age of our population, I thought Elder Law was an area that was ripe for growth.

However, at first, the thought of opening my own office was simply a means of put-

ting food on the table for our growing family. Unexpectedly, it has turned into my calling.

In early 1999, I attended an Elder Law conference in Philadelphia. Within the first two hours at the conference, I became energized in a way that had eluded me in my first years in the practice of law. I

knew back then that there was something about this field of Elder Law that would fulfill me in ways which I never could have imagined when I went to law school and set out upon my

journey to become a lawyer. Two hours at the conference changed my life.

For the first time, I had become a problem-solver, and it felt good. It still feels good today. We are privileged to get the opportunity to guide families in a time of crisis in order to get the best care possible while determining how to pay for expensive care. It is a responsibility that we take quite seriously.

Of course, like any business, we have had to evolve and change to adapt to the marketplace and client's needs. In 2005, our firm adopted the "Life Care Planning" practice model by incorporating social work to assist families in advocacy for their loved ones. Life Care Planning has enabled us to truly provide "holistic" services that our clients need and deserve.

"There was something about this field of Elder Law that would fulfill me in ways which I could never have imagined."

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Retirement Plan Devastated?

By Joel Feldman, Esquire

Who's watching your investments?

Oftentimes, no one. And, in a troubled economy, that's particularly dangerous — especially when your life savings and retirement plan are at stake.

Most investment accounts require the broker to receive your permission before buying or selling stocks or mutual funds. But that doesn't mean he/she is regularly checking your investments. When brokerage firms are sued over account losses, they always argue that, in non-discretionary accounts, they have no duty to regularly monitor your account. That defense has been raised time and time again in securities arbitrations where the broker was "asleep at the wheel" and did absolutely nothing to stop huge losses — a sign of a risky investment strategy.

However, here are some simple steps you can take to minimize losses and maximize your financial health:

- Know your broker. Is your broker qualified? Has your broker been subject to disciplinary action or been sued successfully by other investors? These questions can easily be answered from the FINRA (Financial Industry Regulatory Authority) by visiting www.finra.org under FINRA Broker Check or calling the hotline at 800-289-9999.

- Determine your investment objectives and risk tolerance. Brokers are required to invest your money consistent with your financial condition, investment objectives and your risk tolerance. All too often, we see situations where investors did not want to take risks with their hard-earned money, yet the broker recommended very aggressive investments. This frequently happens when investors sign blank forms after opening accounts. Call your broker and ask for copies of your investment objective and risk tolerance forms. If they are not accurate, request invest-

ment changes to meet your goals and comfort level.

- Beware of variable annuities. These investments pay large commissions to the broker and are not suitable for most investors. Variable annuities can have the same market risk as stocks and lock up your money for years, requiring hefty fees to get your money back early

- Ask questions, demand answers. Question whether you're invested properly. Have your assets been invested in a number of different

types of investments across a variety of industry sectors, or has the broker over-concentrated your investments in one particular sector, dramatically increasing your chances of losing money in a down market?

- Stay in touch. Frequently communicate with your broker. This prompts review of your investments on a more regular basis and provides you with the service you have paid for and deserve. If you are not happy with your broker's response, go to his/her boss.

Retaining a properly trained broker who follows basic rules of prudent investing — and being a diligent investor — will help prevent most significant stock losses, even in a down market.

Joel Feldman, Esquire, Managing Partner of Anapol Schwartz, helps individuals recover stock market losses, as well as compensation for injuries. Contact him at jfeldman@anapolschwartz.com.

THE ROTHKOFF QUARTERLY

Published for clients and friends of The Law Offices of Jerold E. Rothkoff. The success of our firm is a direct reflection of our clients and referral sources. We welcome your referrals as well as your input regarding the contents of this newsletter. We also welcome comments on the quality of legal services our offices provide.

Law Firm Marks Ten Years of Personal Fulfillment

(Continued from page 1)

Most importantly, I could not have grown professionally and personally by myself. I have learned that you are only as good as the people you surround yourself with, and I have had fantastic people by my side on this wondrous journey.

To our staff — Janie, Stephanie, Joanne, Yona, Jennifer, Elizabeth, Jane, Rita, Lori, Susan, and Lois — thank you for everything you have done, and your commitment to seniors and those with disabilities.

Thank you to my family — my wife, Erica, and children, Liza, Julia, Evan, and Gregory (and number five due in June 2010) — who always have encouraged me to be the best I can be, as well as get me back on course when I sometimes veer in the wrong direction.

Lastly, a huge thank you to our referral sources, clients, and their families whom we have had the opportunity to work with. It has been an honor and privilege assisting seniors, the disabled, and their families. I look forward to many more years together.



Guide to Pennsylvania Senior Resources Now Available, Compliments of Rothkoff Law Firm

A new 102-page *Guide to Pennsylvania Senior Resources*, covering Bucks, Montgomery, and Philadelphia Counties, is now available, compliments of the Law Offices of Jerold E. Rothkoff, by calling (215) 546-5800 or emailing info@rothkofflaw.com.

The 5 1/2 x 8-inch booklet provides listings and contact information for federal, state and county governmental agencies, state and county support groups for virtually all senior and disability non-profit organizations, as well as pharmaceutical, utility and transportation services, and all types of senior housing, including independent living residences, assisted living facilities, nursing homes, comprehensive personal care homes, long and short-term rehabilitation centers and adult medical day care centers. Information is conveniently categorized under topic by county, and several helpful articles are also incorporated.

The booklet was designed to provide seniors and their families in Southeastern Pennsylvania with a handy resource to help determine how to pay for utilities, get around, decide where to live, and which government agencies to contact for various types of assistance.

Producing this guide is part of our firm's "Life Care Planning" focus, which places special emphasis on

issues surrounding long life and care management. Also part of the Life Care Plan, three licensed geriatric social workers are on staff at the law firm to help clients and families make informed decisions that best fit their values and comfort level.

The *Guide to Pennsylvania/New Jersey Senior Resources* will be updated annually.

2010 Elder Law Seminars Offered

We want to thank all our clients, their families, and professional friends and colleagues who have made our firm seminars so successful by attending our Professional and Caregiver Seminar Series over the past three years.

We continue to expand the scope of our seminars in 2010. Beginning in March 2010, we have expanded our Caregiver Seminar Series to include Pennsylvania Caregivers, to be held at Holy Redeemer's offices on Southampton Road in Northeast Philadelphia. We will continue to offer continuing education credits to social workers and administrators in New Jersey and Pennsylvania.

Please see the seminar flyers enclosed for dates and times for the 2010 Seminar Series or visit www.rothkofflaw.com for a full listing. Register for all seminars via e-mail at info@rothkofflaw.com or by calling (856) 616-2923 or (215) 546-5800.

Important 2010 Elder Law Numbers

The Centers for Medicare and Medicaid Services (CMS) have released the new Medicare premiums, deductibles, and co-payments for 2010:

▲ *Basic Part B premium:* \$96.40/month (unchanged if SSA withheld premiums in 2009; \$110.50 for all others)

▲ *Part B deductible:* \$155 (was \$135)

▲ *Part A deductible:* \$1,110 (was \$1,068)

▲ *Co-payment for hospital stay days 61-90:* \$275/day (was \$267)

▲ *Co-payment for hospital stay*

days 91-150: \$550/day (was \$534)

All costs for each day beyond 150 days.

▲ *Skilled nursing facility co-payment, days 21-100:* \$137.50/day (was \$133.50).

Also, note that individuals with annual incomes over \$85,000 and married couples with annual incomes over \$170,000 will pay a higher Medicare Part B premium, with a minimum monthly premium of \$154.70/month.

CMS has also released the 2010 guidelines for how much spouses of

institutionalized Medicaid recipients may keep. Please note there are no changes for year 2010:

▲ *Maximum Community Spouse Resource Allowance:* \$109,560

▲ *Minimum Community Spouse Resource Allowance:* \$21,912

▲ *Maximum Monthly Maintenance Needs Allowance:* \$2,739

▲ *Minimum Monthly Maintenance Needs Allowance:* \$1,822.00 (through June 30, 2010)

▲ *Medicaid Waiver Benefits Income Cap for home care and assisted living (in NJ):* \$2,022 per month



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About the Firm: Announcements

Appointments

Jerry Rothkoff and Janie Deleon Male were once again appointed co-chairs of the Education Committee of the Life Care Planning Law Firm Association (LCPLFA) for 2010.

Attended

Jerry Rothkoff attended the National Academy of Elder Law Attorney's annual meeting held in Jersey City, NJ on November 5-8.

Community Events

Our office sponsored a team for the Alzheimer's Association annual Memory Walk held on November 15, 2009 in Philadelphia. Thank you to all "Team Rothkoff" members.

Presentations and Seminars

On October 16, 2009, Jerry Rothkoff provided an in-service on Medicaid and Life Care Planning to the staff of Cinnaminson Center Nursing Home.

On October 22, 2009, Jerry Rothkoff presented to long-term care professionals at Kresson View Nursing and Rehabilitation Center in Voorhees, NJ on NJ's latest Medicaid regulations.

On October 27, 2009, Jerry Rothkoff was a featured speaker at Care One in Evesham, NJ on Veterans' Benefits; on November

17 at Arden Courts in Cherry Hill, NJ; and on December 2 at Compassionate Care Hospice in Bensalem, PA.

On October 28, 2009, Jerry Rothkoff spoke to long-term care professionals on "Legal Issues in Dementia Care" at The Oaks assisted living in Wyncote, PA.

On November 5, 2009, Jerry Rothkoff addressed long-term care professionals on "Asset Protection Planning" at Lakewood of Voorhees in Voorhees, NJ and on November 18 to the staff of Holy Redeemer.

On November 12, 2009, Jerry Rothkoff spoke at the Cinnaminson Center's family caregiver meeting on long-term care planning and on December 17, along with Robert and Ryan Leib, to retirees of Lockheed Martin.

On December 2, 2009, Jane Fearn-Zimmer presented at a seminar sponsored by the NJ Institute for Continuing Legal Education on planning to protect the primary residence.

On December 3, 2009, Jerry Rothkoff spoke at a continuing education seminar on "Legal Issues in Dementia Care" at Arden Courts in Cherry Hill, NJ and on December 10 at Lion's Gate, also in Cherry Hill, NJ.