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Route to:     \_\_\_\_\_     \_\_\_\_\_     \_\_\_\_\_     \_\_\_\_\_  
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# Elder Law Practice in Tennessee

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Publication 60977    Release 12    May 2015

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**HIGHLIGHTS**

**2015 Benefit Rates.**

- Tables, charts, and examples have been updated throughout to reflect current rates.

**For the complete collection of elder law information and resources available online, sign onto Lexis.com® and follow this path: Legal > Area of Law by Topic > Elder Law**

**Chapter 1, Overview of Elder Law.** Demographics have been revised. New § 1.01A, Resources on Aging in Tennessee, has been added to highlight significant resources within the state.

**Chapter 2, Ethical Problems in Elder Law Practice.** The discussion of assessment of capacity has been expanded. *See* § 2.03[b].

**Chapter 3, Retirement and Disability Income and Benefits.** A subsection has been added explaining the VA’s Fiduciary program. *See* § 3.11[h].

**Chapter 4, Paying for Health Care.** A discussion has been added regarding the

Veterans’ Choice Program, that permits receipt of non-VA health care in certain circumstances. *See* § 4.10 [b].

**Chapter 5, TennCare Choices in Long-Term Services and Supports.** The section on Home- and Community-Based Services has been expanded. *See* § 5.04[b]. The discussion of Hearings and Appeals has been revised *See* § 5.11.

**Chapter 6, Medicaid and Long-Term Care Planning.** Changes in the application process are discussed. *See* § 6.08

**Chapter 7, Medicaid Transfer Strategies.** New § 7.05[b][2] explains the use of qualifying longevity annuity contracts to defer receipt of retirement plan assets.

**Chapter 9, Medicaid Transfer Strategies.** New § 9.05[1] provides a form, Escrow Agreement Between Attorney and Client, which reflects that the attorney is holding the client’s durable power of attorney in escrow, pending a determination that it should be released to the named agent.

**Chapter 14, Creating and Administering Special Needs Trusts.** New § 14.14, ABLE Act Accounts, discusses the creation of a tax-free savings account to fund col-

lege tuition to individuals with disabilities.

**Appendix 2—Public Benefits Figures  
updated for 2015.**

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Publication 60977 Release 12

May 2015

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<input type="checkbox"/>	Title page thru ix . . . . .	Title page thru ix
<input type="checkbox"/>	1-1 thru 1-37 . . . . .	1-1 thru 1-45
<input type="checkbox"/>	2-1 thru 2-2.1 . . . . .	2-1 thru 2-2.1
<input type="checkbox"/>	2-15 thru 2-33 . . . . .	2-15 thru 2-34.1
<input type="checkbox"/>	2-48.1 thru 2-59. . . . .	2-49 thru 2-61
<input type="checkbox"/>	3-1 thru 3-19 . . . . .	3-1 thru 3-20.1
<input type="checkbox"/>	3-41 thru 3-49 . . . . .	3-41 thru 3-51
<input type="checkbox"/>	4-3 thru 4-79 . . . . .	4-3 thru 4-80.1
<input type="checkbox"/>	4-91 thru 4-113 . . . . .	4-91 thru 4-115
<input type="checkbox"/>	5-1 thru 5-77 . . . . .	5-1 thru 5-78.7
<input type="checkbox"/>	5-87 thru 5-109 . . . . .	5-87 thru 5-109
<input type="checkbox"/>	6-1 thru 6-27 . . . . .	6-1 thru 6-27
<input type="checkbox"/>	6-41 thru 6-49 . . . . .	6-41 thru 6-51
<input type="checkbox"/>	7-1 thru 7-12.1 . . . . .	7-1 thru 7-12.1
<input type="checkbox"/>	7-21 thru 7-42.1. . . . .	7-21 thru 7-42.1
<input type="checkbox"/>	7-49 thru 7-75 . . . . .	7-49 thru 7-76.1
<input type="checkbox"/>	7-91 thru 7-93 . . . . .	7-91 thru 7-93
<input type="checkbox"/>	8-1 thru 8-53 . . . . .	8-1 thru 8-41
<input type="checkbox"/>	9-1 thru 9-21 . . . . .	9-1 thru 9-22.5
<input type="checkbox"/>	9-31 thru 9-43 . . . . .	9-31 thru 9-44.1
<input type="checkbox"/>	10-5 thru 10-27 . . . . .	10-5 thru 10-28.1
<input type="checkbox"/>	11-1 thru 11-17 . . . . .	11-1 thru 11-18.1
<input type="checkbox"/>	11-27 thru 11-39 . . . . .	11-27 thru 11-37
<input type="checkbox"/>	11-58.1 thru 11-73. . . . .	11-59 thru 11-87
<input type="checkbox"/>	12-3 thru 12-15 . . . . .	12-3 thru 12-16.1
<input type="checkbox"/>	12-35. . . . .	12-35
<input type="checkbox"/>	13-1 thru 13-71 . . . . .	13-1 thru 13-63
<input type="checkbox"/>	14-1 thru 14-15 . . . . .	14-1 thru 14-16.1
<input type="checkbox"/>	14-25 thru 14-30.5 . . . . .	14-25 thru 14-30.5
<input type="checkbox"/>	14-47 thru 14-53 . . . . .	14-47 thru 14-53
<input type="checkbox"/>	App. 2-1 thru App. 2-7 . . . . .	App. 2-1 thru App. 2-9
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