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Elder Law Practice in Tennessee

Publication 60977

Release 15

April 2018

HIGHLIGHTS

TennCare CHOICES

- New section details the application process.

Special Needs Trusts

- CMS established two new set-aside processes in 2017.

2018 Benefit Rates

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

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Chapter 1, Overview of Elder Law. Chapter has been revised and reorganized to better reflect current concerns.

Chapter 5, TennCare CHOICES in Long-Term Services and Supports. New § 5.10, TennCare CHOICES Application

Process, details the information required and methods used to file the initial application.

Revised § 5.11, Hearings and Appeals, contains an expanded discussion of appeal rights and procedures, and additional coverage of TennCare Appeals.

Chapter 12, Housing Options for the Elderly. New § 12.07 explains the term “independent living facility,” first used in the Tennessee statutes in 2017.

Chapter 13, Nursing Homes. Section 13.06[b] discusses recent litigation regarding the ban on pre-dispute agreements for binding arbitration.

Chapter 14, Creating and Administering Special Needs Trusts. CMS established two new set-aside processes in 2017. See discussion in § 14.12[b].

Appendix 2, Public Benefits Figures. Appendix has been updated to reflect 2018 figures.

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