



LOCATIONS

NEW JERSEY

Cherry Hill

425 Route 70 West
Cherry Hill, NJ 08002
856.616.2923

Turnersville

215 Fries Mill Road
Turnersville, NJ 08012
856.616.2923

Hamilton

100 Horizon Center Blvd.
Hamilton, NJ 08619
609.807.3300

PENNSYLVANIA

Philadelphia

1515 Market Street
Suite 1200
Philadelphia, PA 19103
215.546.5800

Lower Bucks County

Seven Neshaminy Interplex
Suite 403
Trevose, PA 19053
215.546.5800

Main Line

150 N. Radnor Chester Road
Suite F-200
Radnor, PA 19087
610.710.4220

www.rothkofflaw.com
info@rothkofflaw.com

FAX

856.616.2991

TOLL FREE

877.475.1101

The Value of Visiting a Loved One With Advanced Dementia

By Jerold E. Rothkoff

On November 12, the Centers for Medicare & Medicaid Services (CMS) updated their Nursing Home Visitation Guidance to eliminate all restrictions on nursing home visitation. As of now, visitation is permitted at all times for all residents, including indoor visitations. All visitors must continue to adhere to infection prevention practices.

I was recently explaining the new guidelines to a client's son. The son explained how depressed he gets each time he visits his mother with advanced dementia at her nursing home. He said the "visits are no longer meaningful because she can no longer engage in any meaningful conversation." After a pause to comprehend what he had meant, I suggested he consider reevaluating how he interprets the term "meaningful."

While I am sure he knows the visits are important for both parent and son, it is only natural for the son to be sad and depressed after each visit. Mourning the loss of someone you love while they are physically still here can be painful, and until someone experiences this firsthand, they do not truly know what the experience is like.

This client's son is by no means alone in his belief. A 2018 British survey found that 42% of the public think it is pointless to stay in contact with loved ones who

have Alzheimer's or related dementia after they are unable to recognize the faces of family and friends. However, advocates and researchers caution against this line of thinking, saying that even as the disease progresses, people with advanced dementia can still hold an emotional memory, meaning that they remember how something made them feel long after they have forgotten the event that brought those feelings. The parent may not remember their son's name nor remember he visited,

but the time the son spent with the parent is still valuable to the parent.

Additionally, visits are also important for the family caregiver who may feel lonely and welcome the visits and conversation.

The visitation can also have a positive effect on the visitor. A few years ago, while I was having a difficult week at work, my wife made a wonderful suggestion that I schedule a day to visit several of our clients in assisted living or a nursing home setting. She thought I needed a fresh understanding of why we do what we do – advocate for seniors. She was absolutely correct. As a result of my visits, I had a fresh sense of energy by my personal interaction with our clients.

Would I have felt differently if I had

(Continued inside on page 2)



Reflections on the 4th Annual Rothkoff Law Group Elder Care Symposium

On October 21st, 2021, we held our fourth annual Rothkoff Law Group Elder Care Symposium. Due to the ongoing COVID-19 health crisis, the Symposium was held virtually for the second year.

Thank you to all the attendees, exhibitors, presenters, and generous sponsors who helped support the Symposium. All Symposium ticket sale proceeds benefited HFC, Seth Rogen and Lauren Miller Rogen's national non-profit dedicated to caring for families impacted by Alzheimer's disease, and inspiring the next generation of Alzheimer's advocates. Upon logging into the Symposium platform, each attendee was greeted with a welcome message from Seth and Laura.

The theme for the Symposium was "Lessons Learned." We examined our current healthcare delivery system for seniors and their care partners and addressed how to make a change for the better.

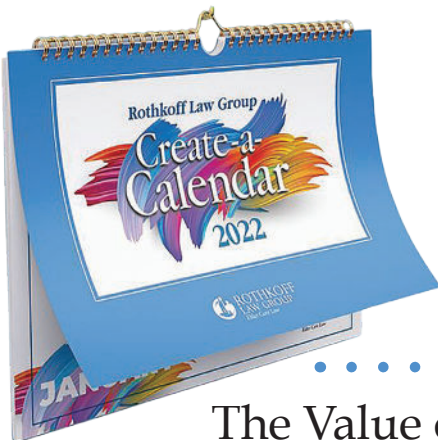
All attendees had the opportunity to network with other attendees and exhibitors via the interactive platform. Rothkoff Law Group managing partner, Jerold E. Rothkoff, opened the Symposium noting COVID-19 did not cause many of the problems with our long-term health care system but rather it simply shined a light on many of these pre-existing issues. Our hope is that



COVID-19 has given policymakers the impetus to fix what is wrong with our system.

The keynote presentation was given by Dr. Jason Karlawish, Professor at the University of Pennsylvania and Co-Director of the Penn Memory Center. Dr. Karlawish discussed his new book, "The Problem of Alzheimer's: How Science, Culture, and Politics Turned a Rare Disease into a Crisis and What We Can Do About It," and explained how scientific advances and cultural transformations turned Alzheimer's from a rare disease into a common one. Importantly, Dr. Karlawish discussed how world history and political controversies thwarted the objectives of the modern Alzheimer's disease movement.

We look forward to further discussions to advance access to quality health care for seniors at next year's Symposium (hopefully in person again)! Save the date for our 5th Annual Elder Care Symposium on October 20th, 2022. Details to be announced soon.



2022 Rothkoff Law Group Calendar

Now available! We are pleased to present the 2022 Rothkoff Law Group Create-A-Calendar which features artwork created by New Jersey and Pennsylvania senior care community residents and staff. Thank you to all our long-term care community partners and their residents for their valuable contribution to the 2022 Rothkoff Law calendar.

Request a copy: rothkofflaw.com/resources

The Value of Visiting a Loved One *(Continued from front page)*

been the actual family caregiver for the clients I visited? Probably so. Many years ago, while still in college, I remember visiting my grandmother with advanced dementia in the nursing home. I used to leave the nursing home with the same attitude my client's son had. However, I have since learned the true value of these visits. Is it difficult? Yes, it is.

I have attempted to make it a practice to visit our clients in long-term care settings. I look forward to being able to continue these visits as the pandemic allows.

Regardless of the level of dementia, after almost two years of restrictions, visiting your loved ones can be meaningful for all involved. We wish our clients, their families and our friends a joyous and fulfilling 2022.

2022 Elder Law Numbers

2022 Medicare Numbers

The Centers for Medicare and Medicaid Services (CMS) has released the new Medicare premiums, deductibles, and co-payments for 2022:

Basic Part B premium:	\$170.10/month (was \$148.50 in 2021)
Part B deductible:	\$233 (\$203.00 in 2021)
Part A deductible:	\$1,556 (was \$1,484 in 2021)
Co-payment for hospital stay days 61-90: . . .	\$389/day (was \$371 in 2021)
Co-payment for hospital stay days 91-150: . .	\$778/day (was \$742 in 2021)
All costs for each day beyond 150 days	
Skilled nursing facility co-payment, days 21-100:	\$194.50/day (was \$185.50 in 2021)

Also, note that individuals with annual incomes over \$91,000 and married couples with annual incomes over \$182,000 will pay a higher Medicare Part B premium, with a minimum monthly premium of \$238.10.

2022 Medicaid Numbers

Maximum Community Spouse Resource Allowance:	\$137,400 (was \$130,380 in 2021)
Minimum Community Spouse Resource Allowance:	\$27,480 (was \$26,076 in 2021)
Maximum Monthly Maintenance Needs Allowance:	\$3,435.00 (was \$3,259.50 in 2021)
Minimum Monthly Maintenance Needs Allowance:	\$2,177.50 (through June 30, 2022)
Medicaid Waiver Benefits Income Cap:	\$2,523.00 per month (was \$2,382 in 2021)
Pennsylvania Medicaid Penalty Divisor:	\$14,676.04 (\$482.50/day) , as of 1/1/22
New Jersey Medicaid Penalty Divisor:	\$361.20/day , since 4/1/21

2022 VA Aid and Attendance

Single Veteran	\$2,050/mo.
Married Veteran.	\$2,431/mo.
Widowed Spouse.	\$1,318/mo.

New Improved Rothkoff Law Group Website

Rothkoff Law is excited to share our all-new website that reflects our commitment as elder care advocates for seniors, families, and professionals in the field. Visit RothkoffLaw.com to browse upcoming virtual events and continuing education (CE) opportunities, catch up on the latest elder care news, and so much more.



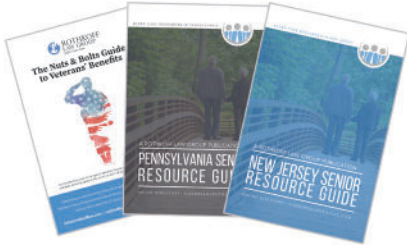
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The success of our firm is a direct reflection of our clients and the referral sources who have supported us. Therefore, we actively welcome your referrals as well as your input regarding the contents of this newsletter. We also welcome comments on the quality of legal services our offices provide.



425 Route 70 West
Cherry Hill, NJ 08002

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Rothkoff Law Group Client Appreciation Event



We had a wonderful time with our clients during our virtual Client Appreciation event on December 5, 2021. We all enjoyed sweet treats from Shark Tank's Wicked Good Cupcakes and shared laughs with comedian Steve Hytner of *Seinfeld* fame and opening act Ashley Gutermuth. Wishing our clients, their family members, and our professional partners a wonderful 2022.

All information presented is general and does not constitute legal advice. Please do not act upon this information without consulting an attorney. Anyone facing a legal issue discussed in this publication is advised to seek legal advice from a competent professional.