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Why I Practice Elder Care Law

By Jerold E. Rothkoff, Esq.

I probably would not be practicing law if I did not practice elder care law. Twenty-six years ago, once I started to explore this fascinating, challenging area of practice, I was hooked. Practicing elder care law provides a high level of satisfaction in knowing we make a positive difference in the lives of our clients and their families. However, as we deal with the day-to-day work, we occasionally lose focus on our mission – enhancing the lives of those elders we represent. Fortunately, we have regular client interactions

which help bring our mission back into clear focus.

Three recent examples are:

- A week prior to Thanksgiving, I met with a client whose husband was in a local nursing home for a rehabilitation

stay following a fall resulting in hospitalization. The wife communicated her husband wanted to come home to spend Thanksgiving Day with his family, and would be devastated if he was unable to do so for health reasons. The nursing home originally informed our client that her husband would lose his Medicare coverage for the rehabilitation stay if he went home for the day because it would be evidence that he no longer was in need of skilled nursing care. With the help of our office to advocate for the family, our client was able to go home on



Thanksgiving Day to spend it with family, and returned to the nursing home under a Medicare covered stay.

- Husband and wife clients both needed ongoing services and support due to dementia and a recent stroke. When we first met with the family, the husband was in a subacute rehabilitation setting, while his wife was temporarily living in a dementia assisted living community. The couple of over sixty years dreamed of continuing to live together in the same

room in a long-term care setting, but the family was struggling to find the proper care setting, and determining how to pay for care since funds were limited. Our care coordinator was able to secure

proper housing for the couple in the same room and helped negotiate the financial arrangements in order for our clients to remain together on a long-term basis.

- I met with a husband who advised he believed he needed to start making arrangements for placement of his wife in a nursing home. The burden of caring for his wife was becoming too much for him to handle from both a physical and emotional perspective. However, he was having a great deal of anguish in

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2025 Rothkoff Law Group Elder Care Symposium

Thank you to all who joined our 8th Annual Elder Care Symposium on October 9, 2025. Your unwavering support, involvement, and contributions have helped make the event a success, helping us foster a community that is committed to enhancing the quality of life for our elders. We look forward to continuing this journey together, creating pathways for more enriched and compassionate elder care.



2025 Caregiver Award winner (center in photo) Lisbeth Hernandez, Lions Gate. Also in photo are semifinalists (left and right) Maimah Sumo, Serving Spirit Home Care and Shakira Perry, Arbor Terrace Mount Laurel.



Caregiver professionals throughout South-eastern Pennsylvania and New Jersey had the opportunity to nominate an outstanding caregiver in their community who offers exceptional service to an elderly person. Congratulations to Lisbeth Hernandez of Lions Gate for her exceptional care for seniors and for taking home this year's Caregiver Award. A wonderful job, as well, to our semi-finalists, Shakira Perry, of Arbor Terrace Mount Laurel and Maimah Sumo, of Serving Spirit Home Care. We appreciate all of the support and the valuable participation of our speakers, sponsors, and attendees. We look forward to seeing you at our 2026 Elder Care Symposium.

Why I Practice Elder Care Law *(Continued from front page)*

considering moving his wife of over 45 years out of the home into a safe setting. I explained to the husband this is not supposed to be an easy decision. If you did not have second thoughts regarding your decision, something was wrong. Our care coordinator helped facilitate proper placement, making the decision easier for both spouses and the entire family.

In all three cases, health care advocacy and navigation is what made for successful outcomes. Despite their concerns about saving money, families tell us their primary goal is to promote

the health, safety, and well-being of their loved one, at home, in an assisted living, or in a nursing home.

We currently have nine Elder Care Coordinators (ECCs). We assign an ECC to help each of our client-families with their long-term care concerns. The ECC conducts a care assessment in the client's home to identify care-related problems and assist in solving them, which might include arranging in-home help or other services or coordinating with health care and long-term care providers. When our ECCs visit clients, the assisted livings or nursing homes know that we are in the same business:

helping families take care of someone's mother, father, spouse, or other loved one. However, when necessary, our ECCs advocate and intervene on behalf of a client who is not getting proper care.

The future of elder care law lies with transforming this practice area from Medicaid asset-focused planning to an integrated care management model that elevates the elder client's quality of life and care above all other aims of the planning process.

Advocating for quality care is at the heart of what we do. This is why I practice elder care law.

2026 Elder Law Numbers

2026 Medicare Numbers

The Centers for Medicare and Medicaid Services (CMS) has released the new Medicare premiums, deductibles, and co-payments for 2026:

Basic Part B premium:	\$202.90/month
(increase of \$17.90 from 2025)	
Part B deductible:	\$283
(increase of \$26 from 2025)	
Part A deductible:	\$1,736
(increase of \$60 from 2025)	
Co-payment for hospital stay days 61-90: . . .	\$434/day
(increase of \$15 from 2025)	
Co-payment for hospital stay days 91-150: . .	\$868/day
(increase of \$30 from 2025)	
All costs for each day beyond 150 days	
Skilled nursing facility co-payment, days 21-100:	\$217/day
(increase of \$7.50 from 2025)	

Also, individuals with annual incomes over \$109,000 and married couples with annual incomes over \$218,000 will pay a higher Medicare Part B premium, with a minimum monthly premium of \$284.10.

2026 Medicaid Numbers

Maximum Community Spouse Resource Allowance: \$162,660
(increase of \$4,740 from 2025)
Minimum Community Spouse Resource Allowance: \$32,532
(increase of \$948 from 2025)
Maximum Monthly Maintenance Needs Allowance: \$4,066.50
(increase of \$118.50 from 2025)
Minimum Monthly Maintenance Needs Allowance: \$2,643.75
(thru June 30, 2026)
Medicaid Waiver Benefits Income Cap: . . . \$2,982/month
(increase of \$81 from 2025)
Pennsylvania Medicaid Penalty Divisor: . . . \$421.20/day
as of 1/1/26
New Jersey Medicaid Penalty Divisor: . . . \$402.74/day
since 4/1/25

2026 VA Aid and Attendance

Single Veteran	\$2,424/month
Married Veteran.	\$2,874/month
Widowed Spouse.	\$1,558/month
Net Worth Limit	\$163,699

Rothkoff Law Group Client Appreciation Event

Thank you to all our clients and their families who attended our Client Appreciation Event at the Museum of the American Revolution on December 6, 2025. It was so wonderful to see everyone enjoying themselves with their families, including many with multiple generations of family members attending.



We wish all our clients and their families a wonderful and fulfilling 2026.



THE ROTHKOFF QUARTERLY – Published for clients and friends of ROTHKOFF LAW GROUP

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.



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Events Calendar



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Rothkoff Law Group Holiday Party



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