



Beverly Davidek



DAVIDEK
LAW FIRM
PLLC

PROTECTING YOUR FAMILY'S FUTURE



Robert Harrison



Keith McMahan



Voted Best Attorney
2019, 2020, 2022, 2023

Finalist - 2018, 2021



Amanda Batsche

Family



Peace of Mind



Total Assurance



HOW WE CAN HELP



- Incapacity Documents
- Guardianship



- HIPAA
- Elder Law



- Advanced Directives
- Estate Planning

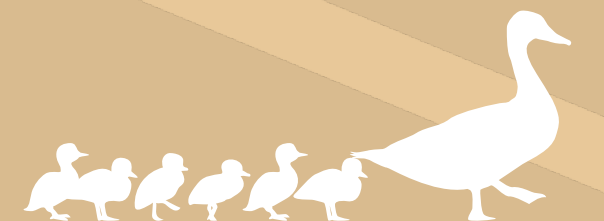


Power of Attorney

What is it?

Who can serve?

What is the difference between a statutory durable power of attorney and an enhanced power of attorney?







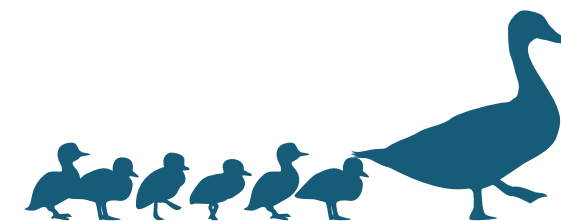
WHAT IS GUARDIANSHIP?

- Of Your Person
- Of Your Estate



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Additional Incapacity Documents

Advanced Directive vs. Do Not
Resuscitate

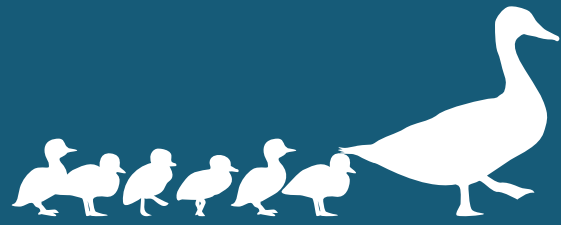
HIPAA Waiver and Authorization

Final Disposition of Remains

ELDER LAW



Medicaid
Planning and
Asset
Protection



Types of Medicaid for Long-Term Care



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- Institutional / Nursing Home Medicaid
- Medicaid Waivers / Home and Community based Services
- Regular Medicaid / Medicaid for the Elderly and People with Disabilities (MEPD)

Medicaid Eligibility Requirements for Institutional Medicaid and Medicaid Waivers



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Single:

- Income under \$2,829/mo
- Assets under \$2000
- Applicant medically approved

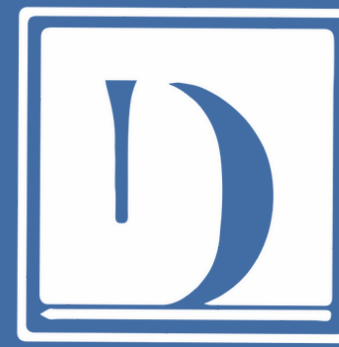
Married (both spouses applying):

- Income under \$5,658/mo
- Assets under \$3,000
- Both medically approved

Married (one spouse applying):

- Income under \$2,829/mo
- Assets under \$2,000 for applicant
- Assets under \$154,140 for non-applicant
- Applicant medically approved

Medicaid for the Elderly and People with Disabilities



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Single:

- Income under \$943/mo
- Assets under \$2000
- Applicant medically approved

Married (both spouses applying):

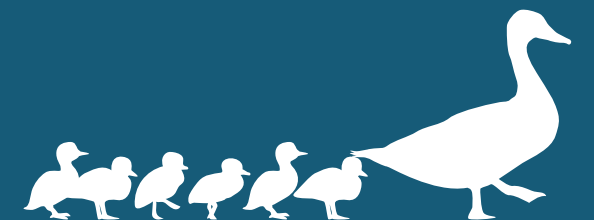
- Income under \$1,415/mo
- Assets under \$3000
- Both applicants medically approved

Married (one spouse applying):

- Income under \$1,415/mo
- Assets under \$3000
- Applicant medically approved

Income & Asset Limits for Eligibility

- Countable vs. Non -Countable Assets
- QIT Trust to Deal with Income Requirements
- Treatment of Assets for a Married Couple
 - Monthly Maintenance Needs Allowance - \$3,853.50
- Medicaid's Look-Back Rule
- Texas Medicaid Home Exemption Rule - \$713,000
- Medical / Functional Need Requirements
 - Intentional / Medicaid Waivers
 - Regular Medicaid



ESTATE PLANNING

Will **VS** Trust

(and other options that are not as viable)

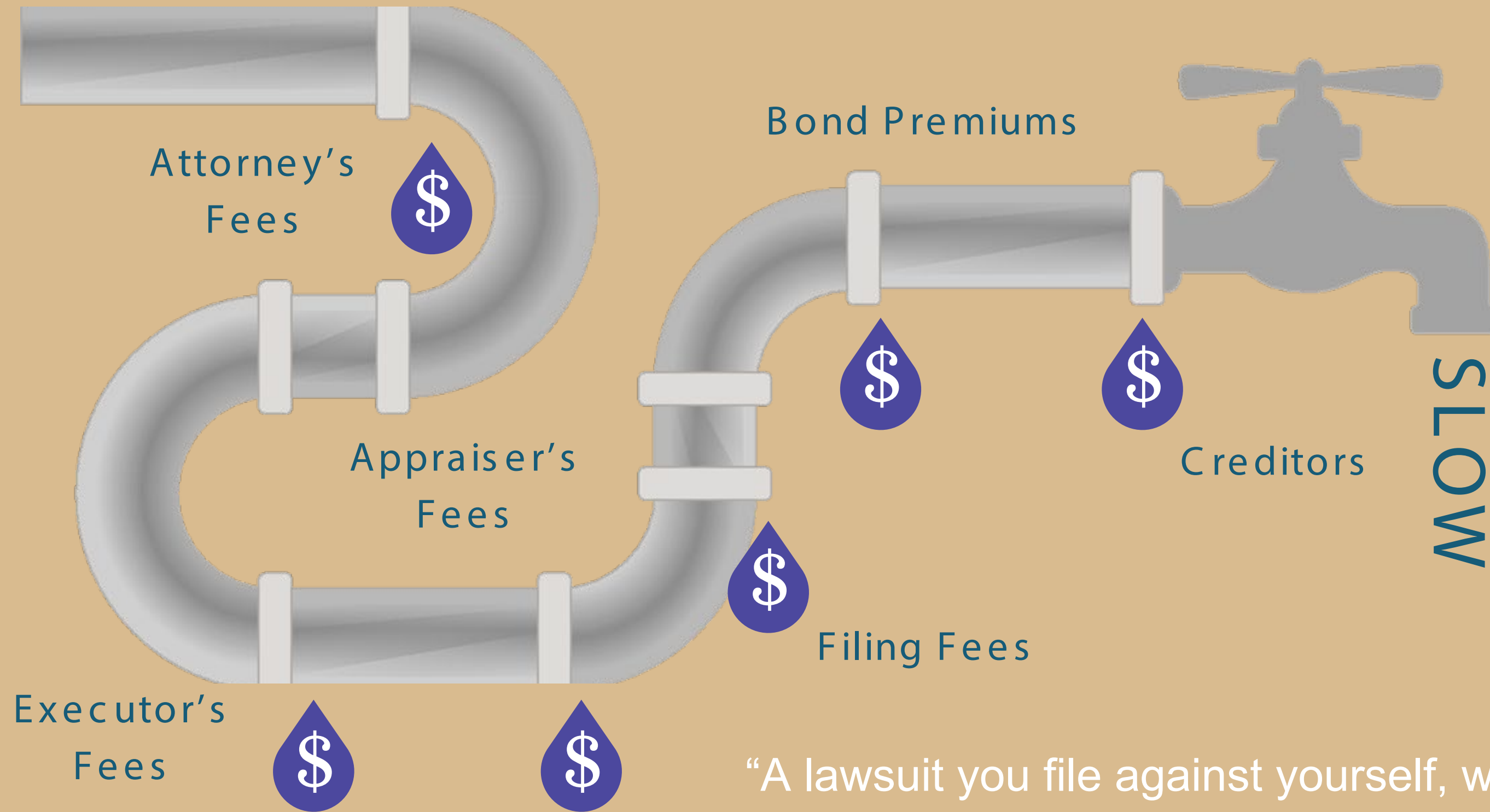


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The Court Process Called Probate



“A lawsuit you file against yourself, with your own money, for the benefit of your creditors.”

How Can You Avoid Probate?

Re-title investment
accounts

Transfer stock / bond
certificate

Sign new signature cards at
bank

Assign personal
property

Execute deeds to real
property

Change life insurance and
retirement account beneficiary
designation



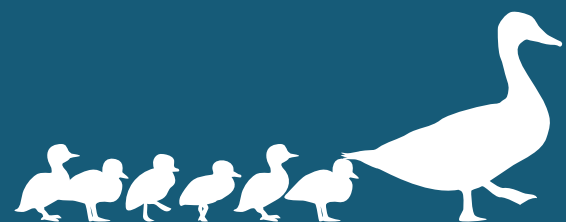
Who wants to protect their inheritance completely?

Do you like the idea of making sure your children don't lose their inheritance to a new spouse or a lawsuit?

A revocable Living Trust is the #1 best form of asset protection that WILL work.



Trusts are flexible



What about estate taxes?

What You Don't
Know can cost your
family BIG

\$13.61 Million

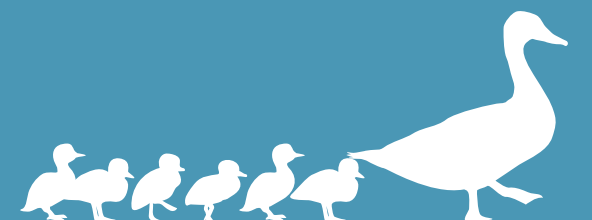
40% Estate
Tax!



Other Reasons to Create a Revocable Living Trust



- Grantor incapacity
- Beneficiary incapacity
- Texas is a probate-able asset recovery state



Common Types of Trusts

Revocable living trusts

Irrevocable trusts

Special needs trusts

Testamentary trusts

Charitable trusts

Life Insurance Trusts



WHAT OUR CLIENTS HAVE TO SAY

Professional but down to earth. You made an uncomfortable topic in people's lives easy to talk about and gave us some of the best options. We tend to joke around a lot and all of your staff joined right in making us feel very comfortable but still addressing the whole reason we were there, It's one of the two things guaranteed in this life and we weren't discussing taxes! Again, thank you for making an uncomfortable but inevitable time in our lives so much easier. I truly feel your staff went above and beyond any service we might have received elsewhere. I highly recommend them

- Charles A.

Attorney Robert Harrison and his team walked us through every step of our estate planning so that we understood our options. This allowed us to make informed decisions on some of life's most important topics. We now have an estate trust & will to direct our family of our wishes after we are gone. Thank you!

- Todd D.

THANK YOU!

228 S. Seguin Ave. New Braunfels

Dee and I walked away feeling very comfortable! We were impressed with your professionalism and personal touch. As mentioned today, we are looking for a relationship that will provide comfort that Dee, myself and our daughter K are in good hands especially when in a "need". We look forward to working with you in the future....

- Johnny Y.



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(830) 515 - 5854

