

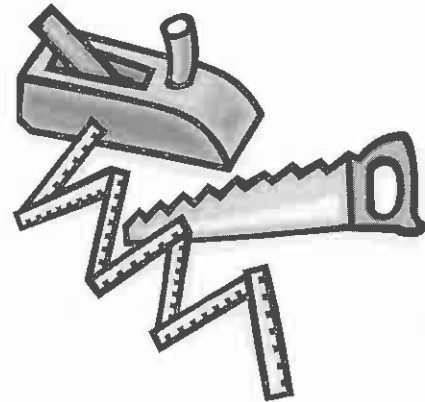


The Church Life and Fellowship Committee
of the
First Congregational Church of Marion
Presents an
ESTATE PLANNING WORKSHOP
When: February 24, 2009.
Time: 6:30 p.m. to 8:00 p.m.
Where: 144 Front Street, Marion, MA
(use parking lot on Front Street, next to Marion General Store)
SEATING IS LIMITED
CALL NOW TO RESERVE YOUR SEAT
1-800-929-0491 Ext 2 Code "FCCM" (Toll-free, 24 hours)
Speaker: Attorney Daniel M. Surprenant

Did you know that your organization can sponsor one of our Estate Planning workshops for FREE?

If you have the space, one of our attorneys can speak to your group or organization about: Division of Assets, Powers of Attorney, Special Needs Planning, Medicaid Planning, Health Care Proxies and Veteran Benefits.

**Just Call Maria Lawton at 508-717-2754
to set up a date & time!**



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FEBRUARY, 2009



VOLUME 2, ISSUE 2

News You Can Use

There is a lot going on the world of elder and estate planning law. In this article we will hit several small topics or issues that you need to know about.

The estate tax is a tax placed on the value of property owned by a person at his or her death. Both the federal and state government provide an exemption from tax for estates below a certain value. In 2009 the federal estate tax exemption amount rose to \$3.5 million per person from \$2 million per person in 2008. The Massachusetts estate tax exemption remains at \$1 million per person. This means if I die owning less than \$1 million dollars of property then I will not owe any Massachusetts estate tax and if I die owing less than \$3.5 million in property I will not owe any federal estate tax.

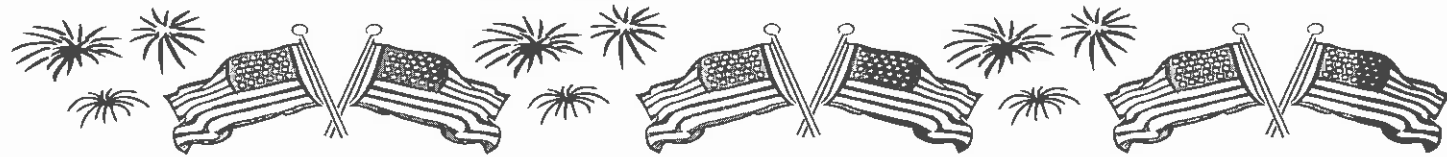
The gift tax is a tax placed on the value of property given away by a person during his or her lifetime by the federal government. The state of Massachusetts does not impose a gift tax. The federal government provides an exemption from gift tax for gifts from one person to another person under \$13,000. This is an increase of \$1,000 from 2008. The gift tax exemption was \$12,000 in 2008. This means I can give any one I want up to \$13,000 in 2009 without having to file a gift tax return or pay any gift tax.

MassHealth has increased the community spouse resource allowance (CSRA) to \$109,560. The CSRA is the amount of money a husband or wife who is at home and has spouse in a nursing home on MassHealth (Medicaid) can keep in his or her own name. If the community spouse has more money than \$109,560 then the spouse must reduce his or her assets to that amount before MassHealth will pay for his or her spouses care. At our office we can often qualify the spouse in the nursing home for MassHealth without the community spouse having to spend the amount over \$109,560 on nursing home care.

We have all seen the effects of the worsening economy. Some of our clients have children who have lost their homes in the mortgage crisis. Other clients have lost funds in the stock market Madoff scandal or just because of the significant drop in the stock values. It is definitely a scary time. One thing you can do for your self and your family is make sure that you keep your money in a bank or credit union that carries insurance such as FDIC insurance. The FDIC has recently increased the insurance limit from \$100,000 per person to \$250,000 per person. If you have more than the insurable limit in one bank it is probably prudent to split the money up into two different banks to make sure you are under the insurable limit.

Because of budget cuts at both the state and federal level we are seeing significant changes in home health care programs. All of the local Area Agency's on Aging such as Coastline Elderly Services and Bristol Elderly Services now have a 3 to 6 month waiting list for home health care services. Only the very ill are receiving immediate homecare services. If your loved one needs home care it is important to get him or her on a waiting list right away. We are also hearing about cuts to payments to visiting nurses for services after a person is the hospital. A lot of cases are under review and services are being terminated after 60 days.

Like we said, these are scary times. The best thing you can do for your self and your loved ones is be prepared. Make sure your estate planning documents are in place and if you are looking to protect assets for your future use or to give to your children at your death now is the time to do it because the rules are definitely going to change to make such planning harder in the future. Please know that we will be here to help our clients in any way we can and we will keep you up to date in this newsletter about any future changes.

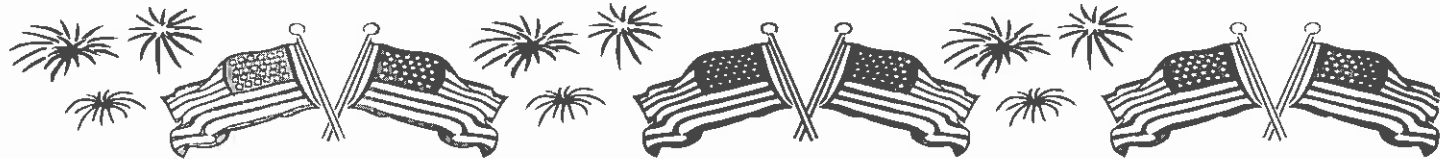


The Law Offices of Surprenant & Beneski, P.C. and The Cedars Assisted Living are holding a **"SOCKS FOR VETS"** Drive December 15, 2008 through March 15, 2009
Donations of NEW SOCKS can be dropped off at:

Surprenant & Beneski, P.C.
 35 Arnold Street,
 New Bedford, MA 02740
 Phone: 508-994-5200
 Hours: 10am-5pm

OR

The Cedars Assisted Living Community 628
 Old Westport Road,
 North Dartmouth, MA 02747
 Phone: 508-636-0590
 Hours: 8am-8pm



Thank YOU
for recognizing our efforts
by sending your friends & family!

Attorney Philip Beauregard
 Attorney Richard Burke
 Linda Canty
 Attorney Claudine Cloutier
 Rosemarie Domingos
 Rosa Farizio
 Monsignor Harrington
 Attorney Elizabeth Kunz
 Attorney John Williams

Terry Larson
 Lisa Mazzili
 Donald Neves
 New Bedford Rehabilitation Hospital
 Cindy Sarkes
 Attorney Suzanne Shepley
 Jennifer Shepley
 Joanna Vieira

We invest 100% of our time & energy to delivering first-class service to our clients. As a result, our valued clients, partners, & friends refer their family, clients, friends & associates to us. We build strong, lifelong relationships one person at a time.

Elder Law Today is produced by Robert L. Surprenant, Daniel M. Surprenant & Michelle D. Beneski, Attorneys at Law. This newsletter is published as a service of Surprenant & Beneski, P.C., 35 Arnold Street, New Bedford Massachusetts 02740 and 2 Oak Street, Mashpee Commons, Mashpee, MA 02649

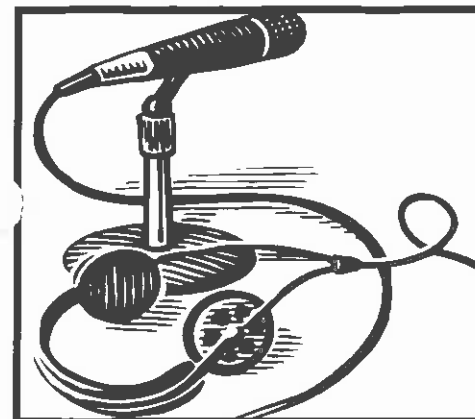
Mark Your Calendars For These Upcoming Events in February and March! Call 1-800-929-0491 To Reserve Your Seat!



Living Trust Seminar-
Wednesday, February 11th and Wednesday, March 11th
(code NBCC) from 6:30pm-8:00 pm at New Bedford Country Club located at 585 Slocum Road in North Dartmouth.

Long Term Care Presentations, including Veteran Benefits-
Thursday, February 19th (code: Arbors) from 6:30pm-8:00pm at the Arbors Assisted Living on 763 County Street, Taunton.
Tuesday, February 24th (code: FCCM) from 6:30pm-8:00pm at the First Congregational Church of Marion on 144 Front Street, Marion, MA.
Thursday, February 26th (code: Brandonwoods) from 6:30-8:00pm at Brandonwoods of Dartmouth on 567 Dartmouth Street, Dartmouth.
Thursday, March 19th (code: Cedars) from 6:30pm-8:00pm at the Cedars Assisted Living, 626 Old Westport Road, North Dartmouth, MA.
Thursday, March 26th (code: Kimwell) from 6:30-8:00pm at Kimwell, 495 New Boston Road, Fall River, MA.

Long Term Care Presentations on the Cape-
Thursday, February 19th and Thursday, March 12th
(code: Mashpee) from 1:30pm-3:00pm at the Club at New Seabury, 95 Shore Drive West, Mashpee, MA.



In our continued efforts to better serve and educate the community, we are now on the radio!
 Catch our radio show every **Wednesday** from **11:00am-12:00pm** on **WBSM 1420am**
 Every week we will have a variety of guests covering many different and interesting topics.
 So be sure to tune in and call in and have your questions answered live on the radio with Surprenant & Beneski, P.C.!