

MARCH 2024

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The Legend Has Retired — We Will Miss Don

In February, we said goodbye to a dear friend and a “staple” here at Preston Estate Planning. Our dear friend, confidant, and resident expert, Don Zoellner, has decided to retire. We have known this was coming for quite some time, but for various reasons, we chose to wait until now to make the formal announcement. I think a big part of that reasoning was we were all in denial, hoping that it really wasn’t true and that the time would never arrive. Well, on Feb. 23 at 5 p.m., Don walked out of his office for the last time.

Preston Estate Planning without Don Zoellner will never be the same. Please don’t misunderstand; there are still great, hardworking people here. The numerous, various tasks associated with estate planning will still get done, and the great service you have come to enjoy will not change. But Don will not be here.

He is the only attorney who was here 24 years ago when he and I were trying to figure out what Preston Estate Planning would eventually look like today. He was one of the founding figures who helped tremendously in developing the Life Plan program.



He has been my “sounding board” for a very long time. As a matter of fact, of the 40 years I have been practicing law, Don has been by my side for over half of that period. That’s a long time to put up with me! Over the years, I have gotten used to Don saying, “John, that’s a crazy idea, but if that’s what you want to do, I’ll support you.” And support me he did!

How I got to know Don is interesting and fortuitous. Back in 1998, a financial institution in California had obtained a contract to handle retirement workshops for California employees. Many of those in attendance needed our services, and this financial institution referred all the attendees to our firm. This was a blessing and a curse. I couldn’t handle all of the referrals, and to make matters worse, the appointments all needed to be conducted in the evening, by phone, and all over the state.


So, I tried to find some estate planning attorneys who wanted to “moonlight” (crazy idea). In other words, after a full day of work, would you like to get on the phone all night? Shockingly, I found five. Don was one of them. Each of us would get on the phone, Monday through Thursday, from 6–9 p.m. every night. This was after each of us had gone to work at our day job. It was grueling. We were working 12-hour days! It was unsustainable. I was on the phone so long that my ulnar nerve went dead. After 6 or 7 months, I couldn’t take it any longer! I contacted the financial institution and respectfully declined to continue.

During the program, there was one person who stood out head and shoulders above the others. His paperwork was always complete, his penmanship was perfect, and his people skills were great. I decided to hire him. That person was Don. He was the only one out of the five that I asked to work with me full time. That was back in October 1999. And as they say, the rest is history.

I speak for all the members of the firm when I say we are family. This part of our family, Don, will certainly be missed. We love you, Don, and hope you enjoy your much deserved retirement.

If any of you would like to express your appreciation for Don and the many years of service he provided, please feel free to send your correspondence in care of our office. Be sure to include the statement “Personal and Confidential.” We will see that he receives your letters.

-John Preston



Medi-Cal Rules Keep Changing

Here Is a Summary of the Prior Rules and the Current Rules

There is a tremendous amount of misinformation regarding Medi-Cal. In order to understand what the rules are currently, a brief discussion of what they were is important.

One of the challenges in understanding the Medicaid rules is that it is often confused with Medi-Cal and Medicare.

First, let's make sure we understand the differences and similarities. Medicaid is the same thing as Medi-Cal. Medicaid is a federal program administered by state. For some reason, many years ago in California, Medicaid got the nickname Medi-Cal and it stuck. When you read articles or see news reports about Medi-Cal and/or Medicaid, remember, Medi-Cal is California's version of Medicaid. They are not two different programs.

However, Medicare is completely different from Medicaid/Medi-Cal. Medicare is a federal health insurance primarily for people age 65 or older. Whereas Medicaid or Medi-Cal pays for the medical expenses of low-income individuals and families of any age.

Obviously, qualifying for Medicare is not difficult. You simply attain the age of 65. However, to qualify for Medi-Cal, there have always been some type of financial restrictions. Some of those rules still apply, some do not. To understand what the rules are and why there is so much misinformation, we need to go back to the old rules.

In prior years, there were three steps to determine whether a person (an "applicant") could qualify for Medicaid. The first step was to determine if there were any "exempt" assets in the applicant's estate. For example, if the person trying to qualify was in a skilled facility and intended to return to their personal residence, that personal residence was considered an "exempt" asset. There were other assets that were also considered to be exempt, but the personal residence was the primary "exempt" asset.

The next step was to determine the value of the applicant's non-exempt assets. In order to qualify for Medi-Cal, the value of the applicant's non-exempt assets could not exceed the asset limit for the year of the application. This number changed slightly every year.

The third and final step was the income test. If the applicant's monthly income exceeded a certain amount, they couldn't qualify for Medi-Cal. There was a minor exception. If the income test wasn't met, depending on the circumstances, Medi-Cal would pay a portion of the medical expenses if the applicant's income was not sufficient to pay for their medical expenses.

Be careful — qualifying for Medi-Cal wasn't the last hurdle. Upon the death of the applicant (or their spouse if they were married), the state would "recover" the expenses paid by Medi-Cal during the applicant's life.

Keep in mind, many of these rules have changed dramatically. The reason why it is important to understand the "old" rules is to recognize where many of the rumors come from.

The new rules have removed the most challenging part of qualification, the asset test. Now we don't have to determine which assets are exempt and calculate the value of the remaining assets. There is no asset test.

However, there is still an income test. An applicant's ability to qualify is based on the applicant's income and the applicant's family size.

Does the state still try to "recover" the expenses paid for the applicant during their lifetime? Yes, unless the applicant's assets are not subject to probate, as would be the case if the assets were registered in a Living Trust.



HOW A TEEN SAVED A MOM AND 3 CHILDREN

The spring day in 2020 began like any other for a mother who had just gotten off a Greyhound bus in Las Cruces, New Mexico, with her three children. In a sudden and terrifying act, a man grabbed her 2-year-old child. Demanding she surrender her other kids, he launched into a violent frenzy, striking the mother and those who dared to intervene. In a desperate bid for safety, the mother broke free and rushed her three children into a nearby convenience store.

The store turned into a scene of chaos. Bystanders, armed with whatever was at hand — brooms, bottles — attempted to fend off the assailant. Their efforts proved insufficient as the aggressor relentlessly pursued the family into the store.

Nearby, Canaan Bower, a 16-year-old high school wrestler, was fueling his truck when he heard piercing screams across the street. He drove to the store and ran inside. The scene that unfolded before him was chilling. There was blood on the ground, which meant the assailant might have a weapon, but there were also three children to protect.

Using his wrestling training, which won him the District 3-5A championship in the heavyweight division, Bower quickly pinned the attacker. Others tried to help hold the attacker down, but Bower didn't want anyone else hurt and knew he had the situation under control thanks to his training and size — half a foot taller and almost 100 pounds heavier than the attacker. He also knew there might be a weapon and needed to keep the attacker from accessing it.

Bower kept the attacker pinned until the cops arrived. The man was later charged with battery, assault, child abuse, and kidnapping. There was no connection between the attacker and the mother. It was a random attack, and thankfully, Bower was there to stop it.

His actions are a powerful reminder to parents and teenagers that heroism is not defined by age or stature but by the willingness to act in the face of adversity. Unfortunately, Bower was in a motorcycle accident two years later and died at the scene. Who knows what other wonderful things he would have accomplished? His memory and actions live on through his friends, family, and the mother and three children whose lives he saved.

Sudoku

	8				4	9		
	7		9			8		
5		3						
	1			3		4		8
3				2				6
8		4		7			3	
						3		9
		8			7		2	
		6	8				5	

Solution on Pg. 4



Sesame Garlic Ramen

Inspired by TheSaltyMarshmallow.com

Ingredients

- 2 6-oz packages of ramen noodles
- 2 tsp of sesame oil
- 2 cloves of garlic, minced
- 1/4 cup soy sauce
- 1 tbsp brown sugar
- 2 tsp Sriracha
- Chopped green onions, for garnish

Directions

1. Cook the ramen noodles according to the instructions on the package. Toss the seasoning packet or save for another recipe.
2. Heat sesame oil in a small saucepan or skillet over medium heat.
3. Add garlic and sauté for about 2 minutes, stirring constantly so it doesn't burn.
4. Remove pan from heat, whisk in soy sauce, brown sugar, and Sriracha until well combined. Feel free to add more heat or sweetness to taste.
5. Drain noodles and combine with sauce, tossing gently.
6. If desired, add your choice of cooked meat or tofu and mix thoroughly.
7. Garnish with green onions.

6	8	2	3	1	4	9	7	5
4	7	1	9	5	2	8	6	3
5	9	3	7	8	6	2	4	1
2	1	7	6	3	5	4	9	8
3	5	9	4	2	8	7	1	6
8	6	4	1	7	9	5	3	2
7	4	5	2	6	1	3	8	9
1	3	8	5	9	7	6	2	4
9	2	6	8	4	3	1	5	7

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THIS BEAUTIFUL CITY IS STRAIGHT OUT OF A FAIRY TALE

Add Sintra, Portugal, to Your Travel Plans!

As spring break nears, you might already have plans to travel to Punta Cana, London, Key West, Paris, or a similar destination city. One more to add to your travel checklist is Sintra, Portugal. This beautiful town rests on the hills of Serra de Sintra, just outside the capital, Lisbon. The two castles within the city are the main draws, and it's easy to see why.

Pena Palace and Gardens

The National Pena Palace and Gardens are absolutely stunning. The palace is adorned in primary colors, with intricately carved yellow, red, and blue buildings. It'll cost you 10 euros to explore the grounds and a couple of extra euros to go inside, but it's worth it! The carvings include many styles, including Neo-Islamic and Neo-Renaissance. Everything is opulent, and you'll have a great time as you take in the extravagance. Some rooms are painted as an optical illusion, with doors and hallways looking three-dimensional when they're just flat.

Once you head back outside, the rest of the grounds are just as lovely. The enormous gardens have many trails, marked and unmarked. You can get lost in the beautiful oasis, and we encourage you to put aside at least half a day to explore the gardens.

Quinta da Regaleira

Quinta da Regaleira is the city's second significant castle boasting beautiful gardens, but its main draw is the initiation well. This 80-foot-deep well is a wonder as it sinks into the earth with mossy walls. We suggest you go early, as this is another big attraction for those visiting the city, and officials try to keep people moving as they arrive, mainly as it's one-way traffic on the steps themselves. Once on the grounds, you can explore many grottos by following their main paths. The castle itself isn't as opulent as Pena Palace, but it's still a lovely location to visit.

Sintra is perfect for any vacation, and though these are the main draws for the city, by no means are they the only ones. We encourage you to check out this city and see if it fits your travel plans.