

# LK Alert

September 8, 2004

## Littman Krooks LLP

### Elder Law

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## Conviction Upheld Against Man for Falsifying Medicaid Application

An Ulster County Court recently upheld the conviction of a man who falsified a Medicaid application which was submitted to the Ulster County Department of Social Services. The man was convicted for failure to report several real estate transfers made by him on behalf of his mother, while he acted as her power of attorney. The man's sentence included 600 hours of community service and restitution of \$5,900 to the nursing home. Also, he faces up to one year in jail if he fails to comply with his sentence.

This case illustrates the importance of properly disclosing information to the local department of social services. Medicaid applicants and their representatives (which often include nursing home personnel) should take great care to ensure proper disclosure of all known information regarding the applicant to the department. To the extent that an applicant or nursing home representative is concerned about transfers that may affect Medicaid eligibility, he/she should consult with experienced elder law counsel.

### Speakers

If you are interested in having an attorney from Littman Krooks LLP speak at your facility, please contact Nicole Garcia at (212) 490-2020 or (914) 684-2100.

Littman Krooks LLP offers legal services in several areas of law, including Elder Law, Medicaid, Health Care, Guardianship, Estate and Tax planning, Public Benefits, Estate Administration/Probate, and Trusts and Estates. Our offices are located conveniently in Midtown Manhattan at 655 Third Avenue, and in White Plains, New York at 81 Main Street.

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