

**EXECUTIVE COUNCIL MINUTES**  
**Loews Portofino Bay Hotel – Orlando, Venetian II**  
**Thursday, January 11, 2018**  
**6:18 p.m. – 7:21p.m.**

- I. Call to Order & Welcome – Collett P. Small, Chair: Meeting called to order at 6:18 p.m.
- II. Approval of Minutes – Victoria E. Heuler, Secretary (**Exhibit A**): Motion and second, passed unanimously.
- III. Chair’s Report – Collett P. Small, Chair  

Today’s Essentials went very well, great attendance. Executive Director Joshua Doyle from the Florida Bar was to be here to speak with us, but could not attend due to the flu. Leadership Academy applications have been encouraged and we have 3 applicants now. Chair feels strong about applicant potential to be admitted. Committee appointments now open if you want to participate in Bar committees. Chair encourages our Elder Law Section members to apply for Committees and let Chair know so she can send letters of recommendation to Bar President (by Monday, January 15, 2018, application deadline).
- IV. Past Chairs Report – Ellen S. Morris, Immediate Past Chair  

Ellen Morris. Surveys attached re: potential Section name change. Conclusion is that there is not current member support to change the name and without that, Bar would not permit us to change our name. Request to close the committee which Chair did. Committee work has not concluded.
- V. Chair Elect Report – Jason A. Waddell, Chair-Elect  

Chair Elect Report: Jason Waddell. Annual Update 82 present 22 on webcast for Thursday Essentials; 135 attendees for Friday Annual Update and 25 Webcast tomorrow. October 3, 2018 Retreat in Washington DC at Marriott Metro Center.
- VI. Treasurer’s Report Treasurer’s report: Carolyn Landon. Income through November 30, 2017 is above budget. Net income is 94k and change. Within budget on all categories. – Carolyn Landon, Treasurer (**Exhibit B**)
- VII. Substantive Division – Steven E. Hitchcock, Vice Chair (Committees): Committees in **bold** specifies **Oral Reports**.
  - A. Exploitation & Abuse Committee – David A. Weintraub/ Ellen L. Cheek
  - B. Estate Planning & Probate Committee – Horacio A. Sosa/ Amy M. Collins
  - C. Guardianship Committee – Debra J. Slater/ Twyla Sketchley: Twyla reported that the Second annual Guardianship Symposium will be held at 1<sup>st</sup> DCA in Tallahassee and led by Office of Public and Professional Guardians.
  - D. Legislative Committee – William A. Johnson/ Shannon M. Miller: Chairs reported that the exploitation bill proposed by the Section and currently in the Legislature is being followed closely by the Legislative Committee. Also some Constitutional Revision Commission items being followed (homestead

changes and resident rights issues). **Chairs urged all Substantive Committee chairs to attend or send someone to attend the Friday Legislative calls during session!**

- E. Medicaid/ Gov't Benefits Committee – John S. Clardy/ Heidi M. Brown **(Exhibit C)**: Planning a ½ day Medicaid planning seminar for basic to intermediate level to take a Medicaid case from start to finish.
- F. Special Needs Trust Committee – Travis D. Finchum/ Howard S. Krooks: Working on a follow-up Special Needs Trust seminar for May 10<sup>th</sup> to focus on trust administration. Travis Finchum moved to approve for May 10<sup>th</sup> in Tampa, second by Bill Johnson; unanimously approved. Travis also reported that new POMS should be out by May, and that there is legislation pending now that will affect trusts (decanting of SNTs).
- G. Veterans Benefits Committee – Javier A. Centonzo/ Jodi E. Murphy: Javier announced that he is running for a seat in the Florida House, District 69! Much enthusiasm displayed for this announcement and much support voiced for Javier! Javier appreciated the support!

VIII. Administrative Division – Howard S. Krooks, Vice Chair (Committees):  
Committees in **bold** specifies **Oral Reports**.

- A. Budget Committee – Carolyn Landon
- B. CLE Committee – Sam Boone/ Marjorie E. Wolasky**: are acting as resource for substantive committees planning seminars, such as SNT committee for May 2018 seminar.
- C. Membership Committee – Donna R. McMillan/Scott Selis**: neither Chair was present to report.
- D. Mentoring Committee – Stephanie M. Villavicencio/ Raiza M. Reyes**: call for presenters and Twyla agreed to talk about practice management on April 12<sup>th</sup> at noon, and Steve Hitchcock will present on disability planning at the following mentor call.
- E. Publications Committee – Kristina M. Tilson/ Heather B. Samuels**: **March 1<sup>st</sup>, 2018 is next Advocate publication deadline!** Each Substantive Committee needs to submit regular articles for publication on topics of interest to the committees or members!

IX. Special Committees

- A. Certification Committee – Victoria E. Heuler/ John S. Clardy**: 9 applicants who are eligible to sit for the exam that will occur in March.
- B. Law School Liaison Committee – Enrique Zamora/Alex Cuello**: Enrique wants to reduce seminar fees for law students and he is teaching elder law again at UF! Shannon Miller suggested that law firms sponsor one or more law students for seminar scholarships.
- C. Sponsorship Committee – Jason A. Waddell/ Jill R. Ginsberg**: Thanks to Ellen Morris and Howie Krooks for helping obtain sponsorships and the committee did very well in sponsorships for Annual Update and had to close the available sponsorships b/c they met their limit!
- D. UPL Committee – John R. Frazier/ Leonard E. Mondschein **(Exhibit E)**
- E. Vision Committee – Ellen Morris/ Jana McConaughay **(Exhibit F)**
- F. Website Committee – Jason A. Waddell/ Alison E. Hickman**: web site doing well and report problems to chairs if any problems encountered!

- X. Board of Governors Report – Marcy Lynn Shaw (17-18 Liaison): not in attendance.

XI. Liaison Reports

- A. AFELA Report – Twyla L. Sketchley: Mid year UnProgram to be held in Tampa in May for all levels of experience. Will also host a run in St. Augustine to raise funds for Task Force. Jill Brzynski is now AFELA President. AFELA will sponsor Capitol Report on WFSU radio to run a spot ever Wednesday during session (Wed. is the most listened to day of the week during session).
- B. Council of Sections Report – Collett P. Small
- C. FSGA Report – Bill Johnson
- D. RPPTL Report – Charles F. Robinson/Marjorie E. Wolasky: Meetings at RPPTL well attended and Marjorie encourages Elder Law Section members to attend. Next meeting in St. Augustine, Florida.
- E. NAELA Report – Howard S. Krooks: 2017 a rough year re: health care attempted reform and new tax law. 2018 congressional agenda to include doing away with 3 month retroactivity for unpaid medical expenses and limiting home equity exclusion for Medicaid qualification. Feds encouraging states to apply for 1115 waivers to reduce available benefits if feds cannot accomplish through congressional action. Iowa tried to curtail 3 month retro medical expenses payments but it was a disaster and created many unintended consequences.
- F. Task Force Update – Ellen S. Morris/Sam Boone: Ellen reminded everyone of the Task Force's makeup and value and that all members should be contributors!

XII. New Business

- A. Joshua Doyle, Executive Director (not present due to the flu)
- B. Chris Hargrett, Program Administrator
- C. Karen Campbell reported as WINGS Liaison for the Seciton that February 1<sup>st</sup> from 4-7 at Orlando Courthouse there will be a WINGS meeting. Also encourage completing the survey from the Florida Supreme Court re: guardianship work group re: the courts and clerks.

XIII. Adjournment: meeting adjourned at 7:21 p.m.

**Next Executive Council Meeting – Friday, June 15, 2018, Hilton Orlando Bonnet Creek, Orlando**