

**Administrator – Person** appointed by a court to represent an estate when no will was provided or the will does not name an executor. May also be referred to as a personal representative

**Alternate Valuation Date** – A date no more than six months after a person’s death that may be used for evaluating assets in an estate. Its use is related to federal estate tax planning

**Assets** – Any property of value. Assets may be tangible such as a house or intangible such as a stock, bond or savings account

**Beneficiary** – Most often thought of as the person named to receive the benefit of a life insurance or annuity contract, the term also applies to a person covered by Medicare

**Benefit Trigger** – The event qualifying someone for a benefit under an insurance contract

**Bequest** – An asset which is left to a person in a will or trust

**Charitable Remainder Trust** – Gift made in trust to a recognized charity that includes income payable to the donor during the person’s lifetime. At death, the remaining value of the gift belongs to the charity. A charitable lead trust provides income to the charity and returns the principle to the donor or estate

**Codicil** – A written and properly witnessed legal change or amendment to a will

**Community spouse** – The spouse who is not living in the nursing home and is living in the community. Sometimes called the “healthy spouse”

**Countable assets** – Assets that count in terms of qualifying for Medicaid. Countable assets must be spent down to qualify

**DNR** – Refers to a person’s instruction that if breathing or their heart should stop, the doctor should not try to restart or “resuscitate”

**Donee** – A person who receives a gift

**Donor** – A person who gives a gift

**Durable Power of Attorney** – A legal document empowering a person to act with defined legal authority on behalf of the person granting such power and such power survives disability. All powers cease upon death

**Elimination Period** – the number of days one must receive care before a long term care policy benefit will begin

**Estate Planning** – Orderly arrangement of assets and a plan for conveying them to heirs and others in a manner calculated to minimize taxes, expenses, and delays

**Estate Tax** – A special federal and state tax on assets which are transferred to another upon death

**Executor** – Person named in a will to handle the administration of the probated estate. The female term is executrix

**Fiduciary** – Person who acts for another’s benefit with a highest standard of care requiring confidence, good faith, prudence, and fair dealing

**Grantor** – A person who establishes a trust

**Guardian** – A person who is legally responsible for managing the affairs and the care of another person who may be a minor or of diminished capacity

**Health Care Power of Attorney** – A document empowering another to make medical decisions for another

**Heir** – A person entitled by statute to receive property through inheritance

**HIPAA** – Short for *Health Insurance Portability and Accountability Act*, HIPAA provides national standards to protect the privacy of personal health information

**Intestate** – Dying without a will

**Irrevocable Trust** – A trust which cannot be changed or cancelled

**Joint Tenancy** – Owning property with another both having the right of survivorship

**Life Estate** – An interest in property that continues for the life only of the person holding such interest

**Life Settlement** – The sale of a life insurance policy where the elder has a life expectancy of less than 12 years

**Living Trust** – A written agreement where a grantor transfers assets and property with detailed instructions to the trustee for the management and future distribution of such assets and property

**Look back period** – Refers to the time period of which the government will examine financial records for possible uncompensated transfers to individuals or trusts

**Marital Deduction** – A Federal and New Jersey deduction for property received by the deceased spouse.

**Means-tested** – A program of benefits requiring financial qualification

**Minimum Monthly Maintenance Needs Allowance (MMMNA)** – The amount of income the community spouse can keep to live on

**Morbidity Risk** – The phrase used to define the probability of disability

**Mortality Risk** – The phrase used to define the probability of death

**Non-countable Assets** – Assets excluded when calculating Medicaid eligibility under the Asset Test

**Nursing Home Spouse** – The spouse who is institutionalized in the nursing home, also known as the Institutionalized Spouse

**Patient Paid Amount** – Income paid to the nursing home each month by someone on Medicaid. This amount is equal to all income less certain allowable deductions; such as medical insurance premiums, a personal needs allowance and (if married) the MMMNA

**Pay-On-Death** – A term used for the transfer payment to another upon death of the owner of a bond or financial account

**Personal-needs Allowance** – The amount of money that someone on Medicaid is allowed to keep each month for personal use

**Personal Property** – Property which is movable (tangible) such as furniture and property which is not movable but represents an interest in other property (intangible) such as a bank account

**Private Paying** – Paying for long term care with your own money or long term care insurance verse Medicaid

**Probate Court** – A specialize state Court to handle the management of wills, estates of persons dying in testate and other functions such as guardianship

**QTIP Trust** – A marital trust that permits the estate to receive a marital deduction even though the surviving spouse has only an income interest in the trust

**Recovery** – A Medicaid term related to the state “recovering” from your estate the cost of nursing home care paid by the Medicaid program

**Skilled Care** – Medically necessary care provided by licensed medical professionals under doctor’s orders

**Spend-down** – Selling assets and spending the proceeds on your care or other allowable expenditures until your assets are low enough to qualify for Medicaid

**Spendthrift Trust** – Trust established for a beneficiary who lacks money management skills. Distributions are conditioned upon spending the legacy wisely

**Tenancy In Common** – Co-ownership of property without right of survival. It is as if each person owned separate halves and can leave their half to anyone of their choice

**Tenancy In The Entirety** – Joint ownership limited to married couples where each has a right of survival meaning upon one’s death, the other owns the property in the entirety

**Terminally Ill** – A medical diagnosis that one has less than two years to live without hope of recovery

**Trust** – A written agreement that enables a person or institution to hold and manage property for the benefit of the person or beneficiary named in the trust document

**Trustee** – The person or institution empowered to manage the trust and follow according to the written instructions of the trust

**Uninsurable** – Where someone is not able to purchase insurance due to health reasons or age

**Viatical Settlement** – Insurance policy allowing for payout in advance of death should the insured become terminally or chronically ill

**Will** – Basic document for transferring property through the probate court to the successor of the deceased