

## **NYC Council to Hold Hearings on Right of Spousal Refusal**

NEW YORK, NY - October 16, 2000--The New York City Council is holding hearings on October 17 in hopes of clarifying the important issue of the City's policy of seeking reimbursement of Medicaid payments from spouses of Medicaid recipients when the couples' assets exceed \$84,120 or they have a monthly income of more than \$2,103.

According to elder care attorney Bernard A. Krooks:

"I am pleased that the City Council invited me to testify at its hearings on the right of spousal refusal. It is simply not fair to push people who have worked hard all their lives to save for their old age into poverty, particularly when there is no requirement to collect these payments from middle-class recipients.

"Many of the people receiving the notices are elderly widows and widowers. They are upstanding citizens whose only "crime" is being married to someone who needed long-term nursing home care. The threat of being sued extracts a very high emotional toll. They are very worried about what will happen to them if the City continues to press for repayment and their savings are wiped out.

"Mr. Krooks is Chair of the New York State Bar Association's Elder Law Section and Vice President and Fellow of the National Academy of Elder Law Attorneys (NAELA).