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Byrd & Byrd Newsletter

May 2010



Byrd & Byrd, LLC
14300 Gallant Fox Lane
Suite 120
Bowie, Maryland 20715
Tel: 301-464-7448
Fax: 301-805-5178

Dear Jacqueline D.,

WELCOME and thank you for reading our first ever email newsletter! We hope that you enjoy this newsletter and find helpful information along with the latest news from Byrd & Byrd.

We value our relationships with friends, clients and colleagues, and look forward to your feedback and participation in order that we may serve you better.

You are on this mailing list because you are a friend or client of Byrd & Byrd, or have indicated that you wish to receive the newsletter. If you do not wish to receive it at this time, please use the unsubscribe information located at the end of each edition.

From legal articles regarding Elder Law, to information about our current seminars and speaking engagements, we intend to provide you with information that you will find relevant and helpful.

We are glad to have you as a reader and appreciate your interest in Byrd & Byrd. Enjoy the newsletter and please contact anyone from our staff if you have questions. Thanks so much!

**Sincerely,
Jacqueline D. Byrd**



click this photo to go
to our website

Byrd & Byrd, LLC

Bowie Fest 2010

Byrd & Byrd to be at Bowie's Annual Festival



For the first time, Byrd & Byrd will be at Bowie's largest annual Fun Fest on June 6, 2010. Our ace litigator, Tim Leahy, will be greeting friends and passers-by with his famous Irish blarney.

Come out to Booth #51, where Byrd and Byrd will be located for your chance to win an amazing "Bowie - our home town!" gift basket. It is also rumored that some of Jackie Byrd's second *Senior Moments 2* books will be available. BowieFest is also a great opportunity to make contact with our attorneys and ask those (short) legal questions that have been bugging you for so long. So stop by Booth #51- we would love to see you!

The Incredible Medicare Improvement Standard

A Major Barrier to Necessary Care

The *Senior Moments* column, published weekly in the Bowie Blade-News, discussed on May 20th, the pervasive Medicare "Improvement Standard" myth. Although the column, limited by word count, discusses this issue in terms of rehab after hospitalization, the problems exist also in the context of home health care - especially with regard to the needs of patients with chronic illnesses such as

In This Issue

- Bowie Fest 2010
- The Incredible Medicare Improvement Standard
- Helpful Websites for Caregivers
- Recommended Reading List

Attorney Spotlight



Joshua D. Winger

Joshua Winger practices law in Maryland and the District of Columbia and is a member of the American, Maryland, D.C., and Prince George's County Bar Associations. He received his J.D., cum laude, from the University of Baltimore Law School in May 2007, and his B.A. in Political Science at UMBC in 2000. Joshua has been with the firm for over seven years, first as a law clerk and now as an attorney. Joshua has also worked for trial judges and one appellate judge. At Byrd & Byrd, Joshua primarily handles estate planning and litigation

Multiple Sclerosis, Alzheimer's disease, ALS, spinal cord injuries, diabetes, Parkinson's disease, hypertension, arthritis and stroke.

Much of the information in the column is taken from materials provided by the Center for Medicare Advocacy, Inc. To learn more about this subject, log onto the Center's web site, www.medicareadvocacy.org. The Center for Medicare Advocacy, founded in 1986, is staffed by attorneys and other professional advocates. The Center's staff assists thousands of individuals in obtaining Medicare coverage and necessary health care each year. The "Improvement Standard" has been among the most significant obstacles facing the Center's clients, as well as the millions of other people with Medicare who have no legal representation.

The myth is that coverage of skilled care requires a beneficiary to be improving. This widely-believed myth denies Medicare coverage to a beneficiary who has "plateaued," is "medically stable," or needs services for "maintenance only." The improvement standard is an improper requirement inconsistent with the Medicare Statute

If you, or a person you love and care for, has been denied Medicare coverage based on this erroneous standard, go to the web site [above](#) to get a free packet with instructions for appealing and requesting redetermination on your own.

Interested in this topic? To find out more, click [here](#) to find the entire column.

matters.

Joshua has a strong desire to help others and has volunteered for multiple local outreaches, such as at the Stanton Center in Annapolis. He recently married his lovely bride, Lindsay. Joshua is also a passionate fan of soccer and the arts.

To contact Josh, email jwinger@byrdandbyrd.com

Testimonials

"Many thanks for your kind listening ear and for sharing your knowledge and wisdom with me and my children"

C. Aberg
Catonsville, MD

"How blessed I am to be one of those "others" to whom you have given so graciously and so generously. It is an anticipated pleasure each week to read your column in the [Bowie] Blade and I have marveled at your ability to present complicated subjects with such clarity."

M. Bruner
Bowie, MD

Senior Moments Publications

Jackie Byrd has

Helpful Websites

Here are some websites with helpful information for caregivers



- www.medicare.gov/caregivers
- www.caregiver.com
- www.naela.org
- www.medicarerights.org
- www.nhpco.org
- www.medicare.gov/nhcompare
- www.aoa.gov
- www.eldercare.gov
- www.caregiver.org
- www.strengthforcaring.com
- www.n4a.org

Recommended Reading List

Byrd & Byrd's Favorite Books on Caregiving



- "The 36 Hour Day: A Family Guide to Caring for Persons with Alzheimer Disease, Related Dementing Illnesses, and Memory Loss in Later Life" by Nancy L. Mace, M.A. and Peter V. Rabins, M.D.
- "Another Country, Navigating the Emotional Terrain of our Elders" by Mary Pipher, PhD.
- "Are Your Parents Driving You Crazy?" by

published two books in recent years. *Senior Moments* and *Senior Moments 2*;

both comprehensive and clearly written books for "Seniors and those who love them". They are based on weekly "Senior Moments" columns originally written for publication in the Bowie Blade-News of Bowie, Maryland and the Crofton News-Crier of Crofton, Maryland.

A unique combination of practicality and warmth, the books offer specific and useful advice for the post-50 crowd and those who may be called upon to care for them. They are a treasure chest of indispensable tips, an exhaustive listing of available resources, and a wise and compassionate look at issues such as faith and personal courage as they relate to growing older.

Jackie Byrd draws on her own real-life experiences in addition to lessons she has learned in her relationship-based elder law practice. From that reservoir, she produces commonsense, plain English solutions to

Joseph A Ilardo, PhD., LCSW and Carole R. Rothman, PhD.

- "Caring for Aging Loved Ones" by Focus on the Family
- "Chicken Soup for the Caregiver's Soul" by Rosalynn Carter
- "Coach Broyles' Playbook for Alzheimer's Caregivers: A Practical Tips Guide" by Coach Frank Broyles
- "Coping with your Difficult Older Parent: A Guide for Stressed-Out Children" by Grace Lebow and Barbara Kane with Irwin Lebow
- "The Forgetting- Alzheimer's: Portrait of an Epidemic" by David Shenk
- "Mothering Mother" by Carol D. O'Dell
- "They're Your Parents, Too! How Siblings Can Survive Their Parents' Aging Without Driving Each Other Crazy" by Francine Russo

the thorniest problems facing a population rapidly growing older.

To order your copy of Senior Moments click [here](#).

For your copy of Senior Moments 2, click [here](#).

About Our Law Firm

The Law Firm of Byrd & Byrd, LLC provides services in Elder Law and Construction Law, a rare combination that reflects the passion and life experience of its partners. The firm is also a general practice firm that manages issues of personal injury, family law, personal injury, wrongful death and medical malpractice.

Known for building strong long-term relationships with our clients, the firm's attorneys excel at making complicated legal issues easier to understand. Whether assisting a contractor, subcontractor, builder or property owner with contract or construction litigation, or helping an elderly client find appropriate housing, apply for Medicaid eligibility, or execute powers of attorney, the firm offers wise and experienced counsel and guidance.

Mission Statement

Byrd & Byrd, LLC is dedicated to protecting and serving senior citizens and those who love them. Our key objective is to give our clients the gift of information, so that with their knowledge, they can achieve all the benefits that the law guarantees. We will always perform our mission in strict accordance to the law and the highest possible moral and ethical standards

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