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Election Results

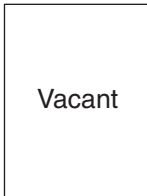
As Secretary of the Board of Directors, I am pleased to announce the following results of our 2006 election. All terms became effective on July 1, 2006. Please join me in welcoming our newly elected members and thanking the Chapter Committee on Nominations and Leadership Identification (CCNLI) for all their time and work on our behalf. – *Wendy Perez, LSW, Secretary, Board of Directors*



Southwest Branch Chair – Jessica Brazil-Deboi
Chapter Board of Directors and Chair of the Southwest Branch
3-year term

South Central Branch Chair – Vacant
Chapter Board of Directors and Chair of the Southeast Branch

(If anyone is interested in this position, please contact NASW-Idaho Chapter)
3-year term



MSW Student Representative – Maria Vanskiver
Chapter Board of Directors
1-year term

BSW Student Representative – Maria Torres
Chapter Board of Directors
1-year term



CCNLI Chairperson – Cara Snyder
Chapter Committee on Nominations and Leadership Identification
3-year term

CCNLI South East Branch – Steve Proctor
South East Branch Representative to the Chapter Committee on Nominations and Leadership Identification
3-year term



Transition & Appreciation

by Mary Kay Brunner

As social workers, we understand that change is inevitable. At NASW Idaho, we are currently experiencing several changes and transitions. As many of you know, our President, J.R. Seaman, resigned earlier this year for health reasons. In the absence of a President-elect and as provided for in the bylaws, our Vice President, Don Pierson, took over as president. More change happened this summer when the Executive Director, Linda L. Vermette, resigned to accept another position in the Boise area. A search committee is currently seeking applicants for the ED position. During the interim, the office is staffed by our former social work intern, Mary Kay Brunner.

NASW Idaho is proud to welcome the new members of our board and expresses appreciation to all of the outgoing board members. We thank MSW Student Representative, Kimberly Bickley, who served while balancing school, job and family. Special thanks to our BSW Student Representative, Sarah Knott, not only found time to serve on our board but lobbied against the Meth-Mom Bill. Sarah continues to serve by taking over the Chair position for the Far North branch.

NASW Idaho greatly appreciates the accomplishments of Cheryl Simpson-Whitaker, a very active member who served the Chapter in many capacities. In addition to being our first representative to the leadership team of A Better Way Coalition: Life on Our Own Terms (the Idaho grassroots end-of-life coalition) and convener and facilitator of the Chapter's End of Life Committee, Cheryl brought us into compliance with NASW's Affirmative Action Plan during her 3-year term as chair of the Chapter Committee for Nomination and Leadership Identification (CCNLI). Judy Deffinger, outgoing Southeast Branch Representative to the CCNLI, has been elected to the chair position after being the first CCNLI committee member to complete a three-year term.

Our Chapter is very grateful for the hard work and dependability of Lorrie Sloan Breshears who spent untold hours putting together Branch and Chapter workshops and conferences. Lorrie has stepped out of her role as Southwest Branch Chair to fill the vacant Vice President position.

We are extremely appreciative of Jacquie Drake who served a 4-year term as Treasurer tracking the finances of the NASW Idaho Chapter. We are pleased to announce that Roy "Butch" Rodenhiser has accepted the appointment as Treasurer. We shall all benefit from his experience in this role at other chapters.

Last, but not least, we are grateful for all of our new and continuing members as we transition through these changes. ●

Idaho Chapter

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Submission Deadlines

January 21st	Winter Issue
March 21st	Spring Issue
June 21st	Summer Issue
October 21st	Fall issue

Submission of Materials/Articles

Contact NASW Idaho Chapter
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83707 or call (208) 345-4060.

Editor's Note

In the interest of unbiased and accurate communications, THE GATEKEEPER subscribes to the importance of avoiding materials that might imply discriminatory language, sexual, racial, ethnic, or other kinds of stereotyping or bias. THE GATEKEEPER is committed to the fair and equal treatment of individuals and groups. Materials submitted should not promote discriminatory attitudes or assumptions about people. Views expressed in this publication are those of the authors and do not necessarily represent the official position of NASW.

NASW-Idaho Chapter Leadership

Elected Board Members – (voting)

President: Don Pierson, DSW, ACSW (208) 282-2170 (pierdona@isu.edu)

Vice President: Lorrie Breshears, LMSW (208) 841-8256 cell (lorrie@apeboymoneygirl.com)

Secretary: Wendy Perez, LSW (wendy_hs31@hotmail.com)

Treasurer: Roy "Butch" Rodenhiser, Ed.D. (208) 426-1789 (royrodenhiser@boisestate.edu)

Far North Branch Chair (Coeur d'Alene area): Sarah Knott (208) 651-1788
(jazzlifeup@yahoo.com)

North Branch Chair (Lewiston area): Kathy Ward, LSW kmw@lewiston.com

Southwest Branch Chair (Boise area): Jessica Brazil-DeBoi

South Central Branch Chair (Twin Falls area): Seeking Branch Chair

Southeast Branch Chair (Pocatello area): Linda Sharp, LCSW (208) 478-2050
(lindamoemom@cableone.net)

MSW Student Representative: Marla Vanskiver

BSW Student Representative: Maria Torres

Legislative Committee Chair: Sunny Reed, LMSW (208) 424-0943 (legiscom@qwest.net)

Elected Leadership – (non-voting)

Chapter Committee on Nominations & Leadership Identification (CCNLI) Chair:
Cara Snyder

CCNLI Far North Representative: Christine Bunton, MSW (chrisrb12@hotmail.com)

CCNLI North Branch Representative: Wendy Nunez, MSW (208) 843-7330 ext 2123
(wendyn@nezperce.org)

CCNLI Southwest Branch Representative: Jim Knapp, LCSW (208) 426-1782

CCNLI South Central Branch Representative: Ruth Bondurant, LCSW, QCSW
(208) 423-4934

CCNLI Southeast Branch Representative: Steve Proctor

Alternate Delegate to 2008 Delegate Assembly: Lorie Watts

Appointed Leadership

CEU Committee Chair: Loretta Constantinidis, LCSW (208) 381-3958
(constanl@slrmc.org)

Better Way Coalition Representative: Kenneth McWilliams, LMSW, LSW (208) 381-2721

Committee on Ethics Chair: Kevin Geraghty, LCSW, kevingera@sarmc.org (208) 367-2556

PACE Committee Chair: Ralph Shay, LSW rs Shay@adelphi.net numeric pager (208) 444-7747

**The NASW-Idaho Chapter
has an opening for a part-time
Executive Director.**

**Please visit our website for a current job
description. <http://naswidaho.org>**



Letter from the President

by Don Pierson, DSW, ACSW

These days everyone wants products with the best quality. Cars that get good gas mileage, last a long time, need little or no upkeep, and look great would be an example of a high quality item. Surprisingly, cost is not a big factor in defining quality. Likewise, a goal for any good organization is quality. It is, however, a difficult term to define for organizations – especially service organizations like NASW. In a membership organization like ours, it means that we support the attainment of customer satisfaction through a system of tools, techniques and training. When an organization or an individual sets the priority of satisfying his or her customer (client, friend, spouse, or neighbor) quality service results and customer satisfaction is achieved. Because customer satisfaction is paramount, we must solicit information from customers to strive for greater effectiveness. In other words, we need to practice our best communication skills including listening and becoming involved with the customer and the organization. You as members of NASW are the customers of the elected officials and the board. We need to focus on your priorities to be effective.

The mission statement of NASW-Idaho states that it will provide leadership direction to promote the social work profession, exemplify and support ethical and knowledgeable practice and positively impact social justice for all Idaho citizens. This sounds like we as individual social workers and as leaders of NASW need to focus on quality customer support. This past year was a difficult time for many of us. Shifting priorities and a lack of commitment has resulted in many important programs and conferences being cancelled. This has created difficulties for the membership in their planning for continuing education hours and in their duties to their customers. We as leadership of the Chapter have not given priority to our members and their needs as we should. With your help, we intend to refocus our

priorities and improve the quality of the Chapter and all the membership of it. To help us achieve these goals of quality leadership for a quality organization our budget has increased. We will be getting more financial support from national NASW.

So how can you help us to improve, learn from our mistakes, and grow to even greater accomplishments in social work both in quality and quantity? Perhaps this little story will help drive the point...

In the folk tale, a hungry and clever soldier promises to make delicious soup from a stone. All he asks of each villager is to add an ingredient to the pot. He starts with just a stone, some water and the warming fire. The villagers bring the rest and all enjoy a wonderful soup. We are asking you to add your own ingredient to the soup that is NASW-Idaho. It is your own addition to the soup that will make it better.

How can you add your own ingredient to the soup? Unlike many quality things, the cost is not that great:

- 1) *Attend and support* NASW sponsored events in your area;
- 2) We are a membership organization of 600 social workers in the State of Idaho, *let us know what you require* to be the effective representatives of the profession that you are today;
- 3) And, oh yes, *think of running* for a leadership position on the board. If real quality starts at the top, be the one to make a difference. Like the villagers in this story, by working together, we can create a culinary delight of social workers the quality of which has never been tasted before... 🍷

MESSAGE from the Interim Executive Director

by Mary Kay Brunner

The vacancy in Executive Director position has left some big shoes for me to fill as interim ED. Those who know me will tell you I love to wear new shoes. So, to fill the ED's shoes, I stuff the toes with the tissues of courage and step forward during this time of transition. My experience as an Intern at NASW Idaho last year enabled me to hit the ground running. Even if I have to slip into a pair of running shoes, I strive to provide quality assistance to members and expertise to the Board of Directors. OK, forgive my overstuffed wardrobe of shoes, but just as I can wear the right type of shoe for the right task or outfit, I also have the desire and ability to do what needs to be done to maintain the Chapter's routine – maybe even “kick start” some projects that have been waiting at the starting gate.

Often I wear my favorite high heel pumps. Years of experience have given me the skills to walk tall and balance on these little platforms and even run with the team to make social change for the good of us all. The people who fill other too-big shoes are our members who elevate the social work profession. Social change is built one pair of shoes at a time – and every step counts. In the next few months the social work profession will face some significant issues. People talk about “walking the walk” and “following in the footsteps” of others, about “taking a stand,” “standing firm,” and “standing tall.” These sayings, along with many traditional proverbs, are all commonly expressed folk wisdom about social change, and

they condense and preserve the experiences of many who have gone before. But now it is our turn.

Some of the legal and hot button issues facing NASW and its members are:

- Medicare and CMS proposed changes in rates of reimbursement
- Title VII retaliation decision
- Public employee whistleblower decision
- Gay/lesbian marriage decisions

In the months ahead I hope you will get out your favorite shoes and join the walk to meet the social changes and challenges we all face. Perhaps the high heels will lift our thoughts; the dancing shoes will help us gracefully take more steps forward than back; the cowboy boots will help us through the muck; the loafers will allow us to rest before the next race; and shoes with lifts to elevate us all up to new heights of achievement... one pair of shoes at a time. 🍷

Idaho Chapter Timetable for Nominations and Election Process

2006 – July & August

CCNLI members solicit nominations for 2007 election through December.

2006 – September

CCNLI members contact Idaho schools that have Council of Social Work Education accredited bachelor's and master's degree programs to identify potential candidates for student board member positions.

CCNLI holds conference call.

2006 – October-December

Chapter Board of Directors and Chapter Committee for Nominations and Leadership Identification (CCNLI) announce position vacancies for 2007 election in the Gatekeeper and on the website.

Nomination and Biographical Information Form distributed through the Gatekeeper, placed on the website, and made available at the Chapter office upon request.

Members submit completed Nomination and Biographical Information Forms to the Chapter office.

2007 – January

Nomination and Biographical Information Forms returned to the Chapter Office by the first Monday in January. Faxed copies acceptable.

Nomination and Biographical Information Forms provided to the CCNLI for review.

CCNLI meets the fourth Saturday in January to develop the Preliminary Slate for elections.

2007 – February

Preliminary Slate and petition deadline announced on the website and through the Chapter office. The petition process allows members to add their name to the slate by submitting a petition within 30 days of the announcement.

2007 – March

CCNLI develops Election Slate.

2007 – April

Election materials and ballot are mailed to Chapter members

2007 – May

Members receive election materials and ballot, are informed of the deadline for voting and where to return ballots.

2007 – June

Secretary of the Board of Directors announces results of the election to Chapter members in the August Gatekeeper, website and/or by direct mail.

Orientation of new members of the Board of Directors and CCNLI.

2007 – July

Term of office begins.

Questions about this process may be directed to CCNLI Chairperson, Cara Snyder at csnyder@lewiston.com or (208) 746-9494, your Branch CCNLI Representative or to the Chapter Executive Director at the Chapter Office.

Welcome New Members!

The NASW-Idaho chapter extends a warm welcome to all who have joined our professional organization since April!

Far North Branch

Jennifer McLuskie

North Branch

Jenny Ann Ruppel

Southwest Branch

Shannon Brimmer

Andrea Emmons

Rosio Gonzalez

Jane Elizabeth Goodson

Harold Humphrey Jr.

Southwest Branch cont'd

Say Marie Mascall

Mary Kay Pielstick

South Central Branch

Martha Anne Matthews

Southeast Branch

Teresa Belnap

Adrienne Boyd

Taresa Charalambous

Brandi Merrill

The Bottom Line...

by Jacquie Drake, LMSW, NASW Idaho Treasurer

... for the prior fiscal year (ended June 30, 2006) will be finalized later this calendar year by independent auditors Gunther, Tondrick & Goode, Chtd. of Boise.

The unaudited numbers show that we took a hit financially. "Non-dues" income for last fiscal year was much lower than projected and we ended up in the red. Revenues from all sources of about \$83,500 were less than total expenses of about \$89,500 resulting in a loss of about \$6,000 for the year.

Despite the loss, the Chapter continues to be financially sound. The balance sheet shows assets of nearly \$58,000 exceeding liabilities and deferred revenue by about \$35,000 as of June 30, 2006.

The good news for the current fiscal year is that our "guaranteed" dues income from National will increase \$4,165 (about 6.6%) to an all-time high of \$67,274. Most of those dollars (about \$42,000) are a return of your investment in NASW (about 50% of your annual dues). The balance (about \$25,000) is additional funding from National to ensure that we are able to staff an office part time and provide basic member services.

But it's the "non-dues" income that allows us to do more than the basics. Non-dues income allows us to have a "voice" at the legislature through our lobbyist; to underwrite the annual Advocacy Day event for SW students; to "invest" in SW education by donating to SW schools and their scholarship funds; and to join other organizations in promoting social justice.

In short, your attendance at local branch CEU offerings, chapter-sponsored conferences and workshops, and Advocacy Day and SW Month events is essential to the health of our professional organization. Thanks for your continued support!

My term of office ended June 30th. It's been an honor and a pleasure serving NASW-Idaho as Treasurer for the last 4 years. Thank you!



Idaho Votes No on HJR2!

Get involved in working for fair treatment of all Idaho Families!

Current Idaho law states, "Marriage is a personal relation arising out of a civil contract between a man and a woman" (I.C. § 32-201), and further provides "Marriages that violate the public policy of this state include, but are not limited to, same-sex marriages, and marriages entered into under the laws of another state or country with the intent to evade the prohibitions of the marriage laws of this state." (I.C. § 32-209).

HJR2 is the constitutional amendment that would narrowly define marriage while also prohibiting civil unions and domestic partnerships. Although Idaho's current law prohibits same-sex unions, this amendment will make it unconstitutional to petition our government to change the law. The debate over equal relationship rights for same-sex couples is the most divisive social issue in Idaho this year. The debate is about more than marriage; it is about using gay and lesbian lives and relationships as a wedge issue to divide America. Those who are against equal relationship rights seek not only to uphold discrimination in relationship rights, but also to restrict or eradicate domestic partnerships and civil unions. Additionally, politicians who advocate for discriminating against gay and lesbian partnerships do so in an attempt to gain and keep political power.

On the surface, the language of the proposed amendment seems simple. But it is not. If passed, Constitutional Amendment HJR2 will hurt many Idaho families by denying them equal health care, inheritance rights and the ability to make life-saving medical decisions. Our Constitution is designed to protect the rights of people, not to limit or deny them. We can disagree about social issues such as marriage, but those disagreements do not belong in our Constitution.

Idaho Votes No is the new political action committee (PAC) that has been formed from a broad coalition of concerned organizations and community individuals who are passionately committed to stopping this amendment. The Idaho Votes No campaign needs your help! There are many ways you can get involved:

- **Candid conversations** around the water cooler at work that demystify our lives and debunk myths will have the greatest impact on changing the hearts and minds of those who think they don't know someone who is LGBT.
- A great way to exercise free expression is by writing a **letter to the editor** explaining that this hurts Idaho's families.
- **Have a party!** It is difficult for our community and families to hear homophobic rhetoric every where we turn because of this campaign. Hosting a house party is a great way to break the isolation, fear and anger you may feel. It is also a great way to raise money for the campaign!
- **Make a donation!** Campaigns are EXPENSIVE, and we all need to donate together and pool our resources in order to be successful.
- **Volunteer on Committee!** Work with campaign leaders on fundraising, planning special events, communicating with the public, registering voters, etc. There is plenty of work for everyone to be involved!
- **Sign up** for our email updates by contacting idahovotesno@fairidaho.org.
- **Show up** for volunteer nights every night of the week except for Friday. We need people for voter identification, data entry, lit drops, boothing at events and million other jobs that you can do in just a couple of hours.

We want fair treatment for everyone in Idaho, and this amendment hurts Idaho families. We will only defeat this amendment if EVERYONE who cares about fairness works together! And remember, vote NO on HJR 2 on November 7th!

For more information, please contact us:

Idaho Votes No

P.O. Box 632, Boise, Idaho 83701

Email: idahovotesno@fairidaho.org

Website: www.idahovotesno.org

Phone: Andrew Yoder, Campaign Manager at (208) 371-6316 

SOUTHWEST BRANCH

Homophobia Growing in Idaho

By Lorrie Sloan Bresbears, LMSW & Delmar Stone, LMSW

Nampa Library Board member, Bruce Skaug (an attorney) recently stated in a public meeting that he would rather have his nine year old daughter start smoking cigarettes than to look at books on sexuality. He also stated that homosexuals are not protected from discrimination in Idaho (at which point several members of the public jumped to their feet and cheered).


The meeting was part of the ongoing controversy to remove books on sexuality from the Nampa Public Library. Several members of NASW Idaho wrote letters, e-mails, and made phone calls to voice their opinions in support of keeping the books in the collection. NASW support was key in helping the majority of the Board (Skaug was the lone dissent) vote to keep all the books on sexuality.

In the next few weeks, voters in Idaho will decide whether to amend the state constitution to prohibit same-sex marriage and domestic partnerships (see article "Idaho Votes No on HJR 2!"). The amendment is expected to pass since it only needs a simple majority vote. Supporters of the amendment are already preparing for their next assault on civil rights by drafting legislation to a ban homosexuals from adopting children and serving as foster parents in Idaho. Similar laws have already passed in other states.

NASW members are encouraged to attend the Boise State University Family Studies 2nd Annual Policy Forum Agenda to learn more about the science regarding sexuality. The upcoming forum will occur Friday, October 20th in the Bishop Barnwell Room in the BSU Student Union. The title of the forum is: "Fact or Fiction: Research on Sexual Orientation, Society, and the Family."

Workshops will include, "Swaying Public Opinion: Fact and Fiction in the Debate over Banning Gay Marriage," "How Untraditional the 'Traditional Family' Actually Is," and "The Real World: How Do These Issues Affect Idaho."

For more information, or to register for the event, contact: Mary Pritchard, Ph.D., Director, Family Studies Research Initiative (208) 426-1901, marypritchard@boisestate.edu

NASW approved CEUs will be provided at the request of attendees. 

FAMILY STUDIES 2nd Annual POLICY FORUM

Friday, October 20 - 10 am-5 pm
Bishop Barnwell Room
BSU Student Union Building

Overview of Same Sex Marriage in the U.S.: The Struggle for Civil Rights and Equality

by Rita A. Webb, ACSW, DCSW, Senior Policy Associate Human Rights and International Affairs

INTRODUCTION

The recent landmark decision by the Massachusetts Supreme Judicial Court to legalize gay and lesbian marriage has brought extensive media coverage and discussion of same sex marriage. The complexities surrounding same sex marriage are multifaceted and include a broad range of areas such as: legislation; institutional, social, and religious views; personal beliefs and biases; civil rights, ethics, and values.

The National Association of Social Workers (NASW) has policies and a code of ethics that address and provide guidance to the social work profession on lesbian, gay and bisexual issues. Currently, the same sex marriage issue is at the forefront of the equal rights discussion and debate throughout the country. For social workers, as advocates, practitioners, educators, and administrators there is an essential need to have a grasp of the social work policies, practices, and ethical concerns on same-sex marriage.

NASW's Delegate Assembly, a member-elected body of social work representatives, approved the policy statement on Lesbian, Gay, and Bisexual Issues, which recognizes the equal rights of all people. NASW through its policy statements and the NASW Code of Ethics strives to "establish and protect the equal rights of all people without regard to sexual orientation." (Social Work Speaks) For social workers, advocacy for the protection of the civil rights of lesbian, gays, and bisexuals is core to the profession's view of equal rights.

This practice update addresses complex issues of same sex marriage in the context of the quest for equality, civil rights, and ethical practice.

EQUALITY AND CIVIL RIGHTS FOR SAME SEX COUPLES

Discriminatory practices regarding the institution of marriage have been practiced over the course of history.

In 1883, Sir Francis Galton began the "Eugenics" movement in England to "purify" the human gene pool. The eugenics movement took off in the United States and justified the institutionalization, sterilization, prohibition of marriage, and prevention of immigration of people with disabilities. African American marriages were not recognized in all states until after the Civil War.

In 1927, the U.S. Supreme Court in *Buck vs. Bell* (274 U.S. 200 (1927)), legalized forced sterilization of people with disabilities to prevent them from having children. Laws in at least four states (North Carolina, Nevada, Arizona, and Oregon) prohibited sexual relations between American Indians and whites. Currently, more than 30 states either prohibit or restrict marriage between people with developmental disabilities.

African-Americans, American Indians, the disabled, and same sex couples have been denied the right to choose a marital partner irrespective to race, sexual orientation, or disability. These groups have had to take their issues to court in order to defend and define their civil and marital rights.

In the landmark 1967 decision (*Loving v. Virginia*, 388 U.S. 1 (1967)), the U.S. Supreme Court ruled that all states must recognize inter-racial marriage. In spite of the changes for African-Americans, American Indians, and inter-racial marriages, same sex couple marriages remain in February 2004, unrecognized in all states except Massachusetts. Recently, the Massachusetts Supreme Court ruled that same sex couples have the right to a recognized state marriage (*Goodridge v. Department of Public Health*).

Implications

The obstacles to same sex marriage are far reaching and often have a negative impact on the individual, the couple, and their families. According to the 2000 Census, same sex couples raise more than one million children. These families are more likely to be denied important legal protections and financial benefits such as:

- child custody
- recognized decision-making
- family medical leave
- family healthcare coverage
- healthcare
- inheritance
- social security benefits
- survivor benefits
- taxes

Access to numerous federal and state benefits, rights and privileges such as social security, taxes, inheritance, medical decisions, and many others remain unavailable to same sex couples.

SYNOPSIS OF SIGNIFICANT FEDERAL AND STATE LEGISLATION

In 1996, President Clinton signed federal legislation for the Defense of Marriage Act (DOMA). This federal legislation is significant because it defines marriage. DOMA defines marriage as "only a legal union between one man and one woman as husband and wife, and spouse refers only to a person of the opposite sex who is a husband or a wife." To date, there are thirty-seven states that have enacted the Defense of Marriage Act and ban same sex marriage.

Domestic Unions

The introduction of DOMA initiated both disagreement and endorsement in how states and the federal government view same sex marriages. DOMA does not recognize any domestic union other than marriage between a man and a woman. In an effort to achieve a level of equality, some states have granted limited recognition of same sex domestic unions. Several states and municipalities recognize the following categories for same sex couples:

- marriage (Massachusetts only)
- civil unions
- domestic partnerships
- reciprocal beneficiary relationships

Massachusetts is the only state to recognize marriages for same sex couples, while Vermont recognizes civil unions and Hawaii has a reciprocal beneficiary. Other state municipalities including Arizona, California, Maine, Minnesota, New York, Oregon, Washington, and the District of Columbia, recognize domestic partnerships. Recognition of domestic partnerships is increasing.

In Massachusetts, the state Supreme Court decision ruled a ban on same sex marriage violates the state's constitution. Further comment by the court maintains that a civil rights violation exists, if the right to marry does not include the right to marry the person of one's choice.

In 2000, the state of Vermont legally recognized same sex partners by granting civil unions. Vermont residents who enter a civil union are eligible for many state benefits available to married couples. However, there remain limitations to Vermont's civil unions, Massachusetts same sex marriage laws, and Hawaii's reciprocal beneficiary relationships in the following respect. Neither Massachusetts' same sex marriages, Vermont's civil union's nor Hawaii's reciprocal beneficiary relationships are recognized in other states. The federal government's DOMA law does not recognize civil unions, same sex marriages, and reciprocal beneficiary relationships, therefore, none of these groups benefit from federal laws and protections.

Ethical Practice

Undeniably, same sex couples in committed relationships are not afforded basic benefits, rights and protections granted heterosexual couples under state and federal laws. Even though, same sex couples live in relationships that are based on basic principles of strong and loving commitment to another, responsibility, and a right to enter into a marriage with their partner of choice, they continue to be denied the human rights, legal and economic stability provided by the recognized institution of marriage. Because of the differences and attitudes towards same sex marriages, social workers will be challenged in their advocacy and practice around this issue. However, embedded in social work values and practice is a Code of Ethics which will provide ethical and practical guidance.

CONCLUSION

The controversy continues on same sex marriages. However, both proponents and opponents recognize in the decision rendered by the Massachusetts Supreme Court ruling on gay marriage, the changes and challenges that have broad ramifications for society on how the institution of marriage will be seen as more inclusive than the narrow definition used under the DOMA federal legislation.

Social workers have opportunities to advocate for lesbian, gay, and bisexual, issues in their professional and community settings. Reportedly, when a straight person knows "someone who is gay or lesbian, he or she is much more likely to support civil rights for gay people." (Behavioral Health Management). Therefore, social workers with their knowledge, skills, and ethical professional values can counter misinformation about same sex couples and their families through education, advocacy, and communication. 🌍

Is Idaho the Future?

By Sascha Abramsky

The Progressive, September 2005 – One day this spring, Leora, more than eight months pregnant, went to visit her doctor in the little town of Caldwell, Idaho. He told her she was becoming malnourished. “I told him, ‘Well, when the summer starts I’ll eat better,’” she recalls. Leora, a U.S. citizen, and her husband, who is here illegally, have five children.

“I don’t eat so that they can eat,” she says. “They have to eat everything on their plate. Everything. Nothing can be left. If they leave it, we eat it. They get an apple, they have to split it three ways. We limit them from eating here in the morning unless it’s oatmeal or cream of wheat. If I don’t make that, they eat at school. The kids drink evaporated milk. It’s forty cents a can. Dinner is normally rice, beans. Every day. Rice and beans and *sopa*.”

Leora and her husband are also looking after two of his sister’s children in the three-bedroom house they live in on a quiet residential block twenty miles from Boise. They scrambled to get the \$1,500 down payment on the \$70,000 property, and paying the \$700-a-month mortgage has pushed the family almost to the limit. When they fell behind on the mortgage after having to spend precious dollars on an operation for Leora’s sister, they rented out one of the three bedrooms to a cousin. Because of that, the government temporarily stopped giving the family food stamps, forcing Leora to choose between relying on charity and not eating. And so the family relies on the largesse of the Boise Rescue Mission, a Christian missionary group with offices in downtown Boise. It tallies the number of meals handed out, as well as the “decisions for Christ” taken by its clients.

In the summer months – the months Leora knows she’ll be able to eat more – the whole family works in the fields, picking beets and other crops from dawn to dusk for a handful of dollars an hour. Leora grew up doing this work, her parents moving between Idaho and Arizona. This is the life she knows best. During the off time, Leora picks up some cash packaging and distributing the local phone book or looking after a friend’s baby during the day. Her husband also works as a construction laborer, taking low-paying jobs from subcontractors who know not to ask questions about his immigration status.

All told, Leora estimates they bring in, through work, about \$1,500 a month, supplemented at times by food stamps and disability checks, as Leora has been diagnosed as being bipolar.

Existing well below even the conservative federal poverty line for a family of nine or ten people, Leora’s family would be unable to eat were it not for the Rescue Mission’s periodic boxes of food.

Idaho represents the Republican Party’s vision of America’s future. Hollow out state welfare services, reduce worker protections, let the minimum wage lose purchasing power, and export goods-producing jobs overseas while leaving the lower strata of the workforce ever more dependent on dead-end service jobs. In rural states like Idaho, relatively well-paying mining and timber jobs have vanished in the past decade. More and more people are worrying about how to put their next meal on the table, and an increasing percentage is actually going hungry at times.

“If you look at the average family income in Idaho,” explains Dick Schultz, administrator of the State Division of Health, “you’ll see the income is quite low compared to other states. The job market here is not necessarily the high-end job market.”

In the 1990s, Idaho was somewhere in the midrange nationwide as far as hunger goes. Less than a decade later, according to studies by the U.S. Department of Agriculture and Brandeis University’s Center on Hunger and Poverty, it – along with its southern neighbor, Utah – is among the very worst in the country. From 2001 through 2003, 11% of Americans were reporting food insecurity (down from 11.3% in the late 1990s), but the figure for Idahoans was 13.7%. And while 3.4% of the country was reporting hunger, Idahoans came in at 3.9%. Though this might not seem like a huge difference, underlying these numbers was a 20 to 25 percent increase in hunger in Idaho over the past seven years.

Food banks and other charities have felt the difference. Four years ago, the Boise Rescue Mission gave out about 600 Christmas turkeys. Last Christmas, more than 1,800 families received them. In 2003, the Idaho Food Bank distributed slightly more than four million pounds of food. In 2004, that number was 5.5 million pounds.

“Idaho is the 6th worst hunger state in the nation,” says Kathy Gardner, agency relations specialist with the food bank.

The pantries aren’t handing out food just to the homeless, the addicted, and the mental-

ly ill. Increasingly, it is the working poor who are reliant on this aid.

Tina Rojas, her husband, Ruben, and her three teenage children live in an old trailer on the outskirts of the little town of Homedale. Ruben used to work at a potato processing facility, making fairly decent money. But then it closed down. Now, they all work the orchards and fields, picking cherries, peaches, plums, asparagus, and onions. In a good week, the family will bring home somewhere in the region of \$400. But more often, far less. When Tina and Ruben need extra money, they pawn their van, then painstakingly redeem it, at 25% interest, over the next several months.

Tina’s husband, twenty years her senior, was recently diagnosed with a stomach tumor. Lacking health insurance but deemed not poor enough for Medicaid, the family can’t afford the estimated \$10,000 for an operation.

Tina grows vegetables out back of her trailer and, when the electricity is cut off because the bills haven’t been paid, she cooks for her family atop an old iron potbelly stove in the cluttered living room. She longs for a big enough freezer to store the produce to supply the family throughout the winter. Yet even a secondhand freezer costs close to \$200, and the family can’t afford that.

“If it wasn’t for the pantries,” admits Tina, “we wouldn’t be getting through the month. It tides us over for the last two weeks of the month – a good \$75 to \$80 of food. Bread, cans of corn.”

An hour the other side of Boise, in the Wild West-styled ex-gold mining camp of Idaho City, Allen and his wife, Karyl, live in a large house on the edge of the woods. The house belongs to Karyl’s mom. Since moving from Fort Worth, Texas, three years ago, Allen and Karyl have been struggling to make ends meet. Active members of the Church of Jesus Christ of Latter-Day Saints, the couple has six young children, and the family is trying to survive on Allen’s salary as a correctional officer. He is paid just over \$11 an hour.

Even with a couple hundred dollars a month extra thrown in because of his work as a communications specialist in the Army Reserves, the income barely covers the family’s bills, let alone the food. The family strains under the weight of medical and dental insurance premiums, car insurance, student loans, and mortgage payments. They live on an undeveloped plot of land they bought with a small insurance settlement. Most of the family’s food, the couple estimates, comes from donations made by their church. And Allen helps out at a food bank when he has time.

He says several colleagues at the prison also live with parents or in-laws because their salaries don’t provide enough to pay rent. He knows at least four or five of them who admit to using local food pantries. “But we don’t talk about it,” he says. “They know I work for a food bank, but they don’t know I rely on it.”

On paper, Idaho is thriving. It has an unemployment rate of 4%, considerably lower than the national average. It boasts one of the highest rates of population growth of any state in the country, and it touts its high level of economic growth. Yet the jobs that are being created so fast are not

Is Idaho the Future?

Continued from Page 7

paying the bills.

"It has to do with the cost of fuel, the cost of housing," says Rescue Mission Executive Director Rev. Bill Roscoe. "People are working but not earning enough money to meet their needs. For me to pay another fifty cents a gallon for gas isn't a big deal. For someone earning \$8 an hour with two children, it's a huge deal."

For Allen, as the price of gas went up, he found he could no longer afford to make the daily commute from his mother-in-law's home in Idaho City to his job as a correctional officer near Boise. So the 34-year-old stays on a military reserve base three or four nights a week, leaving his wife and kids behind, returning only on weekends and for his Cub Scouts volunteer work on Wednesday evenings.

While Allen struggles to provide for his family, many of Idaho's residents are far worse off. Roscoe recalls one woman the Rescue Mission gave a turkey to last Christmas who worked seventy hours a week, as a secretary for a local attorney and as a salesperson at the local Wal-Mart, and she still couldn't afford to feed herself and her two children.

Another woman e-mailed the food bank to say that she and her husband "get to spend about \$120 every two months on groceries and eat a lot of toast to chase the hunger away. We don't get fresh fruits and vegetables or cereals and milk. Those are luxury items. I am just a little fed up with sending my husband to work with no lunch, with no dinner."

The last Democratic governor left office in Boise in 1994. Since then, Republicans, riding the wave of "morals" poli-

tics and touting the pseudo-populist anti-governmentalism of the radical right, have controlled the entire state apparatus. With that power, they have imposed their laissez-faire vision. Idaho has some of the lowest state taxes in the country, and thus has attracted a fair share of wealthy, high-tech jobs (Micron and Hewlett-Packard both have campuses here) while being unable to fund basic public services.

It is notoriously reluctant to support state welfare programs. The state kicked a higher percentage of its welfare recipients off of welfare in the year following Clinton's welfare reform act than did any other state. And in 2000, the legislature mandated that public agencies not inform clients about how to access state services.

"There's a schizophrenia about taxes and services," explains Sam Blair of the Idaho Community Action Network. "It's a framing of the issue that divorces taxes from the services which taxes sustain." The result is rising hunger among working families in the middle of an economic boom.

In control of the White House, Congress, the Senate, a majority of state governorships, and, increasingly, with the allegiances of senior judges hostile to policies such as the minimum wage, the Republican Party has the opportunity to Idaho-ize America.

For those on the margins, the aliens, Tinas, and Leoras of the world, this just might make the difference between three hot meals a day and a reliance on emergency food boxes and mission-donated Christmas turkeys. ●

Progressive Magazine gave permission to reprint this article.

Sasha Abramsky is a freelance writer based in Sacramento, who's first book, Hard Time Blues: How Politics Built a Prison Nation, tells a story about issues and people that leads us to understand how The Land of the Free has become the world's largest prison nation. His new book Conned, documents the lives and struggles of this nation's most unwanted citizens: the impoverished, adjudicated, imprisoned, and disenfranchised.

New Member Benefit

NASW members can now enjoy a wide variety of discounts and special offers on many Dell products and services. Dell can help NASW members do more for less. NASW members can now receive savings on essential small business technology, including business-class desktops, cutting-edge notebooks and a complete range of reliable, affordable printers. To help members determine what products and services are right for them, they simply call one of Dell's dedicated sales representatives at (888) 506-3355.

To shop online and to check out the special offers, members can go to www.dell.com/assns.

Be part of the solution to resolve the hunger issues affecting our state by attending the **Summit on Hunger and Food Insecurity: "Making a Place at the Table for All Idahoans"**.

Find out why Idaho is the 8th hungriest state in the Nation on **Friday, October 27th** at the Owyhee Plaza from 8:30 a.m. till 4:00 p.m.

For more information call (800) 926-2588.

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Family Developer - Boise, Idaho

Casey Family Programs is a nationally recognized foundation. Our mission is to provide and improve—and ultimately prevent the need for—foster care. Currently, we are seeking a Family Developer to maintain a compliment of foster families who are available for the placement of youth served by our program. Duties include recruitment, licensing, training, and support of foster families.

Minimum qualifications include a Master's Degree in Social Work and 2 years relevant experience in foster care services or related area. Candidates must work well within a team, be able effectively use technology, have excellent written and verbal communication skills, group work and collaboration skills, and case management skills. Applicants must be able to work a flexible schedule, including occasional weekends.

To apply for this position, send a cover letter and resume describing related education and experience to Mike Scholl, Director Boise Field Office, Casey Family Programs, 6441 W Emerald, Boise, ID 83704. Resumes will be accepted until 5:00 p.m. Tuesday, September 5. Casey Family Programs is an equal opportunity employer that values a diverse and culturally competent workplace. No calls please.

Dying in Idaho: What Matters Most?

Early Release of Statewide End-of-Life Survey Findings

On June 23, 2006, A Better Way Coalition hosted a video streaming meeting in five locations in Idaho for the early release of the end-of-life survey findings. This meeting was co-sponsored by NASW/Idaho, a member of A Better Way Coalition, through a grant from Boston University. This was year three of a three-year grant to the NASW/Idaho End-of-Life Committee, to promote end-of-life knowledge and education to social workers in Idaho.

This first-ever statewide video streaming coalition meeting was held at five University of Idaho locations: Coeur d'Alene, Boise, Idaho Falls, Moscow, and Twin Falls. In addition to release of preliminary information on the Idaho Statewide End-of-Life Survey Project, this meeting provided an opportunity for attendees to network with professionals across the state interested in promoting compassionate end-of-life care in Idaho.

About the Survey Project

A Better Way Coalition and the Boise State University Center for the Study of Aging conducted this statewide end-of-life survey. 3,000 people in Idaho 35 years and older were selected in a random sample to tell us their thoughts about end-of-life issues. 39% of the 3,000 recipients returned the 12-page end-of-life survey. This is the highest return rate for this age group of any state to date. There is good age and gender distribution which makes this information even more useful.

Data analysis is being provided by the *BSU Center for the Study of Aging*, our project partner, and special attention was given to issues related to Advance Directives, pain management, hospice and spirituality. The role of family/friends, physicians and spiritual caregivers is also addressed as well as other issues. The full report is now available and posted on www.abetterwaycoalition.org.

NASW Idaho is a sponsor of the survey project and a link to the report will be available on www.naswidaho.org. For additional information, contact Cheryl Simpson-Whitaker at (208) 794-1479 or director@abetterwaycoalition.org.

A New NASW Aging Credential

The Aging population is the fastest growing population for Social Workers to work with. NASW is now offering three distinct levels of credentialing that will help you boost your marketability. Social workers will need to be a member to receive this credential. Information, including an application, can be found on the NASW Membership website.

The New Specialty Credentials:

- Certified Advanced Clinical Social Worker in Gerontology (CACSWG)- MSW Clinical
- Certified Advanced Social Worker in Gerontology (CASWG) – MSW level
- Certified Social Worker in Gerontology (CSWG) – BSW level

Please contact the Credentialing Center at credentialing@naswdc.org for more information.

End-of-Life Care

Abstract from *Social Work Speaks*

Decisions regarding end-of-life care should be considered numerous times during a person's life, not just at the diagnosis of a terminal illness or in an acute, life-threatening event. End-of-life decisions encompass a broad range of medical, spiritual, and psychosocial determinations that each individual should make before the end of her or his life. End-of-life issues are recognized as complex because they reflect the varied value systems of different populations. NASW does not take a position concerning the morality of end-of-life decisions, but affirms the right of any individual to direct his or her care wishes at the end of life.

Social workers often work with clients who express a desire to talk about their thoughts and feelings about dying and death. Social workers play an important role in assessing statements made by clients expressing their desire to die and in providing appropriate knowledge, compassion, and skill; they also can intervene with medical professionals to ameliorate pain and suffering. Social workers can explore and assess all of these issues with clients and can educate and direct them to appropriate resources such as pain management, palliative care, or hospice care.

Order the Latest Addition

Social Work Speaks

Seventh Edition

NASW Policy Statements, 2006-2009

ISBN: 0-87101-370-3 .2006

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The new and revised resource is the social worker's guide for policy development. Adopted by the NASW Delegate Assembly in 2005, *Social Work Speaks*, Seventh Edition, including 22 new statements, addresses an array of issues ranging from affirmative action, child abuse and neglect, disasters, end-of-life-care, HIV and AIDS, people with disabilities, and others.

A valuable reference tool, *Social Work Speaks* can assist individuals with developing organizational responses to policy issues, conducting policy analysis and study, and working in political action coalitions. NASW relies on these policy statements to guide policy advocacy and legal action.

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CLINICAL SOCIAL WORK PRACTICE ALERT

HELP PREVENT A MEDICARE PROPOSED 14% FEE REDUCTION FOR CLINICAL SOCIAL WORKERS WHO ARE MEDICARE PROVIDERS

TABLE 54: Total Allowed Charge Impact for the 5-Year Review of Work RVUs and Proposed PE RVUs

The Centers for Medicare and Medicaid Services (CMS) issued a proposed notice in the Federal Register, dated June 29, 2006, that addresses two components of the Medicare Physician Fee Schedule: the RVU (work) and the Practice Expense values. Clinical social workers' reimbursement fees are based on this schedule. CMS is proposing that clinical social workers receive a 7 percent reduction in work values and a 2 percent reduction in Practice Expense values effective January 1, 2007.

An additional proposed 5 percent decrease in Practice Expense values is to occur by 2010. Thus, the total reduction in reimbursement is expected to be 14 percent by 2010 for clinical social workers – one of the highest reductions of all covered professions. On the other hand, CMS is proposing a 10 percent increase in reimbursement for evaluation and management codes, which generally are restricted to physician use and not for clinical social workers or other non-physician practitioners.

New rules propose SW payment cuts. One rule cuts SW payments -14% (RVUs/PEs) another -4.6% (SGR). This requires immediate large SW response. Please protest now to CMS – then ask Congress for relief. Urge Congress to press CMS to delay until 2008 the 10% work RVU budget neutrality adjuster proposed in the rule. Congress must delay the regs to protect patient access.

Mirean Coleman, MSW, LICSW, CT
Senior Policy Associate

Specialty	Allowed Charges (millions)	Impact of Work RVU Changes		Impact of PE RVU Changes		Combined Impact of PE and Work Changes*	
		2007	2010 (PE Trans. Year 1)	2007 (PE Full Implement.)	2010 (PE Full Implement.)	2007 (PE Trans. Year 1)	2010 (PE Full Implement.)
1 Total	\$74,749	0%	0%	0%	0%	0%	0%
2 ALLERGY/IMMUNOLOGY	\$167	1%	2%	6%	3%	7%	7%
3 ANESTHESIOLOGY	\$1,710	-6%	-1%	-4%	-7%	-10%	-10%
4 CARDIAC SURGERY	\$389	3%	0%	-2%	3%	1%	1%
5 CARDIOLOGY	\$7,462	-0%	-1%	-4%	-1%	-4%	-4%
6 COLON AND RECTAL SURGERY	\$120	-1%	1%	4%	0%	3%	3%
7 CRITICAL CARE	\$171	4%	0%	0%	4%	4%	4%
8 DERMATOLOGY	\$2,145	-5%	3%	12%	-2%	7%	7%
9 EMERGENCY MEDICINE	\$1,989	7%	0%	-2%	7%	5%	5%
10 ENDOCRINOLOGY	\$319	6%	0%	0%	6%	6%	6%
11 FAMILY PRACTICE	\$4,809	5%	0%	1%	5%	6%	6%
12 GASTROENTEROLOGY	\$1,734	-1%	1%	6%	0%	5%	5%
13 GENERAL PRACTICE	\$1,016	3%	0%	1%	3%	4%	4%
14 GENERAL SURGERY	\$2,321	0%	0%	1%	0%	1%	1%
15 GERIATRICS	\$132	2%	0%	-1%	2%	1%	1%
16 HAND SURGERY	\$76	-1%	-1%	-4%	-2%	-5%	-5%
17 HEMATOLOGY/ONCOLOGY	\$1,761	3%	0%	-1%	3%	2%	2%
18 INFECTIOUS DISEASE	\$450	8%	1%	2%	9%	10%	10%
19 INTERNAL MEDICINE	\$9,510	5%	0%	0%	5%	5%	5%
20 INTERVENTIONAL RADIOLOGY	\$233	-5%	-1%	-3%	-6%	-8%	-8%
21 NEPHROLOGY	\$1,585	0%	-1%	-5%	-1%	-5%	-5%
22 NEUROLOGY	\$1,331	2%	0%	0%	2%	2%	2%
23 NEUROSURGERY	\$571	-1%	-1%	-3%	-2%	-4%	-4%
24 NUCLEAR MEDICINE	\$86	-6%	0%	-1%	-6%	-7%	-7%
25 OBSTETRICS/GYNECOLOGY	\$623	1%	0%	-1%	1%	0%	0%
26 OPHTHALMOLOGY	\$4,786	-2%	-1%	-4%	-3%	-6%	-6%
27 ORTHOPEDIC SURGERY	\$3,265	-2%	-1%	-3%	-3%	-5%	-5%
28 OTOLARYNGOLOGY	\$892	0%	0%	-1%	0%	-1%	-1%
29 PATHOLOGY	\$834	-5%	-1%	-2%	-6%	-7%	-7%
30 PEDIATRICS	\$73	2%	0%	-1%	2%	1%	1%
31 PHYSICAL MEDICINE	\$785	2%	0%	-2%	2%	0%	0%
32 PLASTIC SURGERY	\$279	-1%	0%	0%	-1%	-1%	-1%
33 PSYCHIATRY	\$1,128	-2%	0%	1%	-2%	-1%	-1%
34 PULMONARY DISEASE	\$1,580	5%	0%	2%	5%	7%	7%
35 RADIATION ONCOLOGY	\$1,448	-2%	1%	4%	-1%	2%	2%
36 RADIOLOGY	\$5,365	-5%	0%	2%	-5%	-3%	-3%
37 RHEUMATOLOGY	\$489	3%	-1%	-3%	2%	0%	0%
38 THORACIC SURGERY	\$442	2%	0%	-1%	2%	1%	1%
39 UROLOGY	\$1,949	1%	0%	0%	1%	1%	1%
40 VASCULAR SURGERY	\$606	-1%	0%	2%	-1%	1%	1%
41 AUDIOLOGIST	\$31	-1%	-1%	-3%	-2%	-4%	-4%
42 CHIROPRACTOR	\$774	-7%	-1%	-4%	-8%	-11%	-11%
43 CLINICAL PSYCHOLOGIST	\$554	-7%	-2%	-8%	-9%	-15%	-15%
44 CLINICAL SOCIAL WORKER	\$362	-7%	-2%	-7%	-9%	-14%	-14%
45 NURSE ANESTHETIST	\$651	-8%	0%	-2%	-8%	-10%	-10%
46 NURSE PRACTITIONER	\$710	0%	0%	0%	0%	0%	0%

VOTE NOVEMBER 7th, 2006!!!

NASW-Idaho Political Action for Candidate Election Supports:

- Governor Jerry Brady
- Lt. Governor Larry LaRocco
- Controller Jackie Groves-Twilegar
- Superintendent for Public Instruction Jana Jones

NO on HJR 2

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Email: idahovotesno@fairidaho.org

Here is some helpful information about voting in Idaho:

Who are the Candidates?

www.idsos.state.id.us/elect/candidat/06candpri.pdf

What are the Ballot Measures, Referendums, and Initiatives?

www.idsos.state.id.us/elect/inits/initinfo.htm

To find your polling place, go to:

<http://idahovotes.gov/YourPollingPlace/WhereDoIVote.aspx>

Register to Vote! www.idahovotes.gov/VoterReg/vtr_reg_form.pdf

NASW-Idaho's Affirmative Action Goals for Elected & Appointed Positions 2005-2008:

73% women and 3% People of Color.

Every three years the affirmative action goal is re-established for each Chapter in NASW. The goal is based on the composition of Chapter membership in June and remains the same for three years. The affirmative action cycle is linked to the Delegate Assembly, which convenes every three years.

Important Changes to Idaho Medicaid Law Part 1 in a Series of Articles

by Pete Sisson, Esq.

In a previous issue of *Elder Law Today* I briefly discussed the major changes that Congress made to federal Medicaid laws in February of this year. Those changes are so important, and have caused so much confusion and discussion among professionals dealing in this area, that I felt it was worthwhile to devote more effort explaining what those changes are and how they affect Idaho seniors.

I have recently given a number of presentations to health care professionals on this topic, but the public needs this information just as much, if not more. Anyone who needs long-term care Medicaid benefits to help pay for in-home care, assisted living care or nursing facility care is well advised to become educated in this area.

You can save substantial time, trouble and money by understanding how one in a series of articles discussing in depth the new federal changes and how those changes are affecting eligibility for Idaho Medicaid and the seniors that need those benefits.

It is also important to recognize that implementation of the federal changes is a work in progress for Idaho's Department of Health and Welfare, the agency that administers the Medicaid program. Temporary rules have been put in place to implement the federal law changes, but those temporary rules have not yet been permanently approved by our legislature (and won't be until the 2007 legislative session).

So it is not known at this time exactly how Idaho's regulations will ultimately end up reading. In addition, it will take time for many practical aspects of the new regulations to become clear after they have been actually applied. Unfortunately, it is apparent that the federal changes have made things more complicated for seniors seeking long-term care Medicaid benefits, not less.

Extending the look back period to five years for transfers of assets for less than fair market value made on or after February 8, 2006. The "old" versus the "new" law. Both still apply depending on the circumstances.

One of the biggest changes to the law was federal extension of the look back period from three to five years. Under the "old" law, if a Medicaid applicant gave away assets for less than fair market value (i.e. made a gift) a three year look back period applied unless the asset was transferred from a trust. In the case of a trust, a five year look back applied. This old rule still applies for all gifts made before February 8, 2006. Under the new rule, however, for any gift made (whether from a trust or not) on or after February 8, 2006, a five year look back applies.

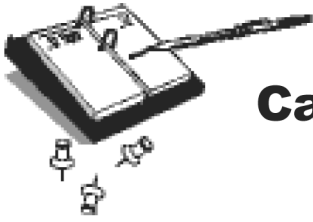
So what is the look back period and why should you be concerned about it? The look back period runs from the month of the Medicaid application back the applicable period of time. Any gifts made within that look back period can make you ineligible for Medicaid benefits. If you are incurring care costs in a nursing home or assisted living facility, you know how expensive this care can be.

That's why Medicaid coverage is so important for so many people. Any actions that you take that might delay Medicaid eligibility can be very expensive because you are forced during that delay to privately pay for your care. In addition, any gifts made within a look back period are subject to an estate recovery claim by the Department of Health and Welfare.

When someone starts receiving Medicaid benefits after age 55, the Department of Health and Welfare keeps track of all monies spent on that person's behalf. After that single person dies (or after the surviving spouse dies), the Department has a claim against that person's (or spouse's) estate for the value of the benefits paid out on his behalf. That's called estate recovery. By extending the look back period from three to five years, the government has extended by two years the period of time that makes gifts potentially subject to an estate recovery claim.

How a gift of assets is treated under the old and new rules is the subject for another article. The above information is general. Before taking action with regard to planning for long-term care expenses or with regard to the Medicaid program, you should consult a qualified elder law attorney who can examine your specific situation and advise you accordingly. ●

Elder Law Today is written by Peter C. Sisson, Attorney at Law and is published as a service of Sisson & Sisson. Dedicated to serving the needs of older Americans, people with disabilities, and their families.



Calendar of Events



NASW-Idaho Chapter Board of Directors' Meetings:

Saturday, October 28th, 2006

Owyhee Room, Anderson Center, Boise

Saturday, March 31st, 2007

Owyhee Room, Anderson Center, Boise

Saturday, January 27th, 2007

Owyhee Room, Anderson Center, Boise

Saturday, June 23rd, 2007

Owyhee Room, Anderson Center, Boise

CEU Workshop Opportunities:

Friday and Saturday, September 8 & 9, 2006

Cascadia Training – Attachment-focused Therapy: Dyadic Development Psychotherapy

By Dan Hughes, Ph.D, Idaho Falls

http://www.cascadia-training.org/INFO_danhughesidaho.html

Monday, Tuesday and Wednesday, September 18, 19 & 20, 2006

Enriching the Journey – Idaho IJJA Conference September 2006

Idaho Falls – <http://www.ijja.net/conference/2006SCHEDULE.html>

Thursday, September 21, 2006

Idaho Child Welfare Research and Training Center (ICWRTC)

Mothers and newborns Exposed to Drugs in Pregnancy: Assessment and Intervention

Twin Falls – Contact: Aida Zeff at (208) 676-1186 ext. 225



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