

# senior review

December 2025

FREE

## in this issue...

- ▶ What Could Happen If You Don't Have an Estate Plan
- ▶ Ascend Funeral Home & Cremation Care: A New, Compassionate Choice in Funeral Care
- ▶ Every Life Has a Story — Let's Celebrate It
- ▶ The Gift of Pre-Planning
- ▶ What To Ask When Choosing a Memorial
- ▶ Give Your Family the Gift of Clarity and Peace of Mind
- ▶ Healthy Benefits of Vitamin D
- ▶ Wartime Christmas



*Merry Christmas!*

A Senior Magazine for Living a Healthier, Smarter and More Active Life in Wausau

## Christmas Joy *By Dave Olson, Realtor®, SRES™ RE/MAX EXCEL*

It's just a few days before the Wisconsin deer gun season as I write this column. As a busy Real Estate agent, I don't take a lot of time off, but one thing that I've loved for the past 52 years is this Wisconsin tradition. Of course, as I eagerly try to get away, old Mr. Murphy and his "law of real Estate" comes rolling along, smothering me with time sensitive tasks and bringing my work list and stress level both up, up, up! Just when that happened, I was reminded of my deadline for this article. Due by tomorrow morning! Oh no! Listing contracts, an offer to write, showings, tasks, hustle.... and now this?

I'm incredibly happy to say that smack in the middle of all that fretting, I was reminded that this is to be my Christmas article. Christmas! My favorite time of the year! I stopped what I was doing immediately and gave thanks to God. I took some time thinking about all the Blessings that me and my family were blessed with throughout 2025. After giving thanks and taking a deep breath, I was able to be filled with the amazing Peace and Joy of Christmas. If you've been reading my column for a while, you probably already know how much I love Christmas and all that goes with it. How after the whole year of Blessings we get to stop the hustle and bustle and gather with our families and friends and welcome the Christmas miracle.

That is why this is different kind of column today. A column to remind all of you about the true peace and great Joy we get to share each Christmas. Don't let the hustle and bustle take over. Stop, catch your breath and be still. Take time to visit, share and value one another.

Give thanks and enjoy each day looking forward to Christmas with anticipation.

The Blessings of Christmas are way more important than work, errands, presents, baking and decorating. We all need to do those things, but let's step back first. Stop and allow the true meaning of Christmas to settle into us, filling us with true peace and real gratitude. The Peace you can't get anywhere else. I promise if you do, you'll still get all those things completed, but you'll feel SO MUCH better, less stressed and more filled with anticipation of the amazing miracle that's coming.

Make your lists and check them twice. Somehow all the tasks will get done. If you take in that peace, you'll look forward to Christmas, not as a big list of things to get done, but a chance to remember again this year the greatest miracle of all time, our Savior leaving Heaven and coming to Earth as a baby. A baby who would grow up to offer his life in place of ours. The greatest gift of all. A most BLESSED Christmas to each of you this year. May it be your best Christmas ever.





# Plan Today for Tomorrow

Planning and pre-planning our funerals is never an easy conversion to have however being prepared can ease the grief of our loved ones.

The funeral planning section in the following pages gives information, education, and advice from local professionals who are ready to help in your time of need.



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FUNERAL HOME & CREMATION CARE

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# What Could Happen If You Don't Have an Estate Plan

By Cole Bruner, President of Buska Retirement Solutions and Buska Wealth Management



Many people assume estate planning is only for the wealthy or elderly, but in reality, everyone needs one—no matter their age, assets, or family situation. An estate plan is not just about passing on wealth; it's about protecting your loved ones, ensuring your wishes are honored, and providing clarity when it's needed most. Without one, the future can quickly become uncertain, stressful, and expensive for those you care about most.



## 1. The State Decides Who Inherits Your Assets

If you pass away without a will or trust, you're considered to have died "intestate." This means state law—not you—determines who inherits your property. The distribution follows a legal formula, typically prioritizing spouses and children, but not always in the way you might expect or want. For example, unmarried partners, stepchildren, close friends, or charities you care about may receive nothing at all. Even worse, family disputes can erupt as relatives fight over what they believe you would have wanted.

## 2. The Probate Process Can Be Lengthy and Costly

Without clear instructions, your estate may go through probate—a public, court-supervised process that settles debts and distributes assets. Probate can take months or even years to complete, delaying access to funds your family might need right away. It also comes with legal fees, court costs, and administrative expenses that can significantly reduce the value of your estate. In contrast, a well-structured estate plan can streamline or even avoid probate altogether, saving time, money, and stress for your heirs.

## 3. Minor Children Could End Up With a Court-Appointed Guardian

If you have young children and haven't named a guardian, the court will decide who takes care of them. That decision may not align with your values, lifestyle preferences, or family relationships. In some cases, relatives might even contest guardianship, leaving children caught in the middle of emotional legal battles. By naming a guardian in your will, you ensure that your children are cared for by someone you trust.

## 4. Your Healthcare Wishes May Not Be Honored

An estate plan isn't only about what happens after you pass—it also addresses what happens if you're alive but unable to make decisions. Without a healthcare power of attorney or living will, doctors and family members may be left guessing about your medical preferences. This uncertainty can lead to painful conflicts among loved ones and outcomes that don't reflect your wishes. Proper healthcare directives give clarity, ensuring that your voice is heard even when you can't speak for yourself.

## 5. Family Conflicts Can Emerge

In the absence of a clear estate plan, even close families can experience tension, misunderstandings, and resentment. Disputes over assets, care decisions, or funeral arrangements can strain relationships for years. A thoughtful estate plan provides transparency and structure, helping prevent disagreements before they start.

Failing to plan your estate doesn't just affect your finances—it affects your family's peace of mind, stability, and future. By creating an estate plan that includes a will, powers of attorney, healthcare directives, and possibly a trust, you take control of your legacy and spare your loved ones from unnecessary hardship. Estate planning isn't about anticipating death—it's about protecting life's most important relationships.

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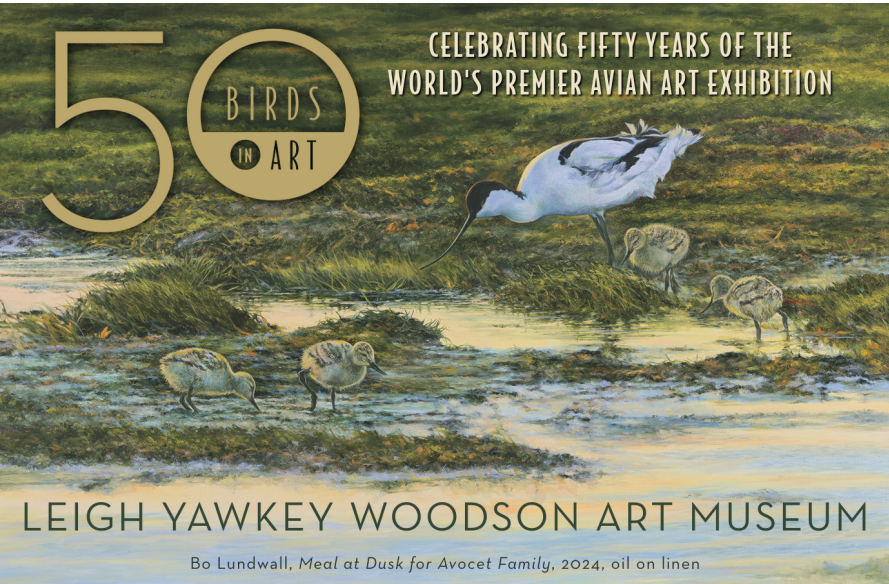
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## Plan your memorial. Preserve your legacy.

Planning your memorial in advance ensures you are remembered exactly the way you want. Decisions you make today will reduce the emotional and financial strain your family experiences in their grief.

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# Ascend Funeral Home & Cremation Care: A New, Compassionate Choice in Funeral Care



By Lucas Gajewski, Executive Director & Licensed Funeral Director

When facing the loss of a loved one, or planning ahead for your own peace of mind, choosing the right funeral home matters. At Ascend Funeral Home & Cremation Care, we believe in doing things differently: with integrity, compassion, and local heart.



We are proud to be the Wausau area's newest choice in funeral and cremation care. Ascend is a non-profit funeral home founded to bring affordable, personalized, and pressure-free funeral care back to the families who need it most. Unlike corporately owned funeral homes, Ascend is community-rooted and mission-driven; focused not on profit, but on people. What sets us apart? First, our nonprofit model means our focus is on people, not profits. That allows us to direct more energy back into the care and support of families. Many of our clients tell us they chose Ascend because of our clarity and openness. One testimonial shared: "The care and compassion they extended to me and my entire family were beyond extraordinary." Another added: "From the moment we stepped into Ascend, we felt an overwhelming sense of peace and trust." These voices reinforce our belief that our way of showing and sharing dignity and authenticity is the foundation of good care.

At Ascend, our experienced team includes Executive Director and Licensed Funeral Director, Lucas Gajewski, along with Licensed Funeral Directors Jacob Simonson and Carrie Hartleben. Families often speak about how each director brings something uniquely comforting. One testimonial reads, "Lucas was exactly who we needed—steady, compassionate, and deeply respectful." Another family wrote, "Jacob's kindness carried us through decisions we never thought we'd have to make." And a recent note shared, "Carrie showed us so much warmth that it felt like she was part of our family." It's this kind of personal connection that defines the Ascend experience.

While our team is the heart of Ascend, our beautiful new building is the space where that compassion becomes tangible. Families describe feeling a sense of peace the moment they enter; quiet

rooms, warm lighting, and a layout designed to bring people together. Every detail of the space was chosen to help families feel supported, not overwhelmed. We know that seniors often carry the responsibility of planning for others or making their own arrangements in advance. That's why we emphasize clear communication, kindness, and patience. You'll never be rushed or upsold. As one family said: "We received what we needed most... genuine kindness and support. Thank you is not enough."



If you're planning ahead, or need help today, we invite you to visit us. At Ascend Funeral Home &

Cremation Care, we are here to foster the healing and growth our community needs to navigate loss.

Ascend Funeral Home & Cremation Care is located in the heart of Weston at 2809 Jelinek Avenue. Reach out for conversation at (715) 214-1228 or [info@ascendweston.org](mailto:info@ascendweston.org).

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# Every Life Has a Story — Let's Celebrate It

by Brainard Funeral Home and Cremation Center



At Brainard Funeral Home and Cremation Center and Helke Funeral Home and Cremation Service, we believe every life deserves to be remembered in a way that feels personal and genuine. For generations, our family-owned funeral homes have been honored to serve the families of Wausau, Weston and the surrounding area by helping them say goodbye to loved ones with care, compassion, and respect.

We know that no two people are the same. That's why we take the time to get to know every family we serve. Whether you're planning a traditional service, a simple gathering, or a unique celebration of life, we work with you to create something that truly reflects the person being remembered.

Sometimes that means including a favorite song or hobby, displaying cherished photos, or holding the service in a special place. We've helped families create meaningful tributes that bring smiles as well as tears—services that honor a full, well-lived life. Our goal is always the same: to help families find comfort, connection, and healing.

## Why Planning Ahead Makes Sense

Many people are surprised at how comforting it can be to plan ahead. Making your own arrangements in advance means your wishes are clearly known and carried out the way you want. It also brings peace



of mind—both for you and for the people you love most.

When everything is decided in advance, your family won't have to guess what you would have wanted or make stressful decisions during a difficult time. Instead, they can focus on being together and remembering the moments that matter most.

Planning ahead can also make good financial sense. You can pay in full or over time—whatever works best for you. And you don't have to make every decision at once. We'll guide you through each step, answer your questions, and help you create a plan that feels right. Some people prefer to record just their basic wishes, while others like to plan every detail. It's entirely up to you.

If you've been thinking about preplanning, or simply want to learn more about your options, we'd be honored to help. You're welcome to stop by our funeral homes, call us at (715) 845-5525 or (715) 842-3993, or visit our websites for more information at [www.helke.com](http://www.helke.com) or [www.brainardfuneral.com](http://www.brainardfuneral.com).

At Brainard Funeral Home and Cremation Center and Helke Funeral Home and Cremation Service, we're more than a funeral home—we're neighbors, friends, and a trusted part of this community. Every life has a story, and we're here to help you tell it beautifully.



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Funeral Guide

# The Gift of Pre-Planning by Peterson/Kraemer Funeral Home

What were some of the most memorable gifts you've ever received? What is it that made them stand out for you? More than likely, it was a combination of factors...perhaps the way they were presented to you, the "surprise" element, maybe even the monetary value of the gifts. More than likely, however, the gifts that have meant the most to you are those that reflect the love between the giver and the receiver of the gift; those that clearly show that there was genuine thoughtfulness behind the reason for the gift.

Have you ever thought that pre-planning your funeral could be considered a "gift"? Pre-planning your funeral, although it cannot be wrapped or packaged like a traditional gift, is one that is truly a reflection of your care and concern for your loved ones. The multitude of decisions that need to be made when someone dies can be overwhelming, especially considering the emotional pain and stress that family members are under. When you openly share your thoughts and take the time to pre-arrange your funeral, the pressure and burden of planning at the time of need is greatly diminished and allows your loved ones the time to grieve. It also affords you the time to carefully explore and discuss all your options with those you care about and select those that are the most meaningful to you and your family. What an amazing gift to leave your loved ones.

The holiday season is a time when families gather together who may not have the opportunity to see each other frequently throughout the year. It is a time when old times are recalled, stories are shared and new memories are made. We are certainly not suggesting that you use this time to "talk about death", but rather to relish the moments

with your loved ones, pay attention to the stories that are told, notice the things that matter and think about the clues that are given about what things would contribute to a meaningful tribute to their lives. Most importantly, savor the gift of time with your loved ones. If the opportunity should present itself to have the discussion about specific funeral or end of life wishes, take advantage of it and turn that conversation into the gift of pre-planning. Although it is a gift whose true value may not be realized until many years later, it is nonetheless, one of the greatest gifts we can give.



Peterson/Kraemer has is fully staffed with compassionate and knowledgeable individuals who can assist you with all the details of pre-planning your funeral. Call us anytime to schedule a time to discuss your plan. We wish you a Happy Holiday, the Happiest of New Years and we hope you experience all the blessings that 2026 holds in store.

## Happy Holidays, from our family to yours



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# What To Ask When Choosing a Memorial

By Haertel Monuments



Funeral Guide

Selecting a memorial for your departed loved one can be an emotionally taxing experience. I still remember standing in the cemetery with my sister after our mother passed, holding a folder of design papers and feeling completely overwhelmed. You want to create something beautiful to mark your loved one's resting place, but with so many options, where do you even begin? Let us help guide you through the process.

Here are **5 important questions to ask when choosing a memorial**—including the ones I had to ask myself.

**1. What Are the Rules of the Cemetery?** When my sister and I visited the cemetery office, we learned that the section where our mother would be buried only allowed flat markers. We had originally imagined a small upright stone, something similar to what she had admired when visiting family graves, but cemetery regulations meant we had to rethink our plan.

Most cemeteries have rules and regulations that guide the type and style of memorials permitted. Some don't allow above-ground stones or statuary. Others prohibit flowers or personal items at gravesites, so adding a vase to a headstone could go unused. It's much better to know these guidelines up front before investing time—and money—into a memorial that later turns out to be unacceptable.

**2. What Is My Budget?** The day we walked into the memorial showroom, we were surprised by how much prices varied. Different materials, finishes, and design elements all added up quickly.

Before you begin designing a memorial, determine how much you can realistically spend. Setting a budget early will help you understand which elements you can comfortably include and which may need to be simplified. Sharing your price range with your memorial consultant from the start can save you stress and help them guide you toward choices that are both meaningful and affordable.

**3. Is This Memorial for One Person, or Part of a Family Plot?** Our mother was to be buried in a family plot where our grandparents already had matching gray stones with simple engraving. As much as we wanted her memorial to feel unique to her personality, we also wanted it to harmonize with the rest of the family markers.

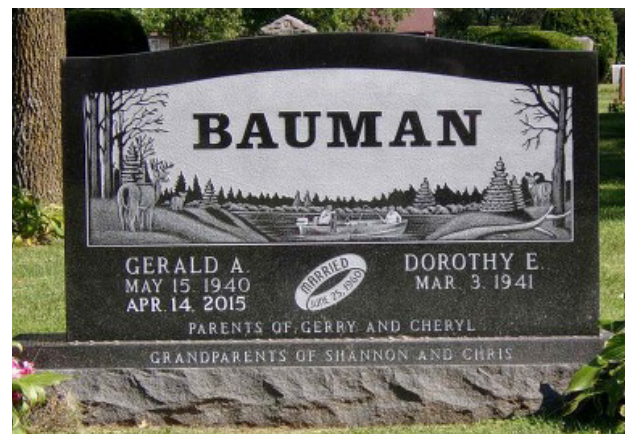
If you're designing a memorial for a single plot, you have much more stylistic freedom. But if you're adding to a family plot, consider the look and feel of existing stones. A highly ornate or colorful stone can look out of place among otherwise simple markers. Cohesion can help maintain the overall dignity of the space.

**4. What Design Elements Do I Want?** This was one of the hardest decisions for us. Should we keep the engraving simple? Should we add an epitaph? Would a small engraved rose—her favorite flower—feel right?

There are two major design categories to consider:

- **Engraving:** Will you include just the name and dates, or add a personal touch such as a quote, religious symbol, or cameo photo?
- **Add-ons:** These may include statuary, crosses, vases, or other decorative elements.

If you're unsure, your memorial consultant can show you examples and mockups so you can see how your vision translates to the actual stone.



**5. What Material Do I Want?** In

the end, we chose a soft gray granite that matched the family plot but still allowed for a delicate engraved rose. We were told it would take about 90 days to complete, which is common for standard materials.

Your choice of material affects the memorial's appearance, cost, and timeline. Common materials—like standard granite colors—may already be in stock and can be completed sooner than the typical 90 to 120 days. Less common stones or unique colors need to be special-ordered, which may extend production time to four to six months.

Choosing a memorial is a deeply personal process, one that blends grief, love, and the desire to honor someone's life in a lasting way. Asking these questions helped my family move forward with confidence, and I hope they help guide you, too.

Give your family the gift of  
*peace of mind.*



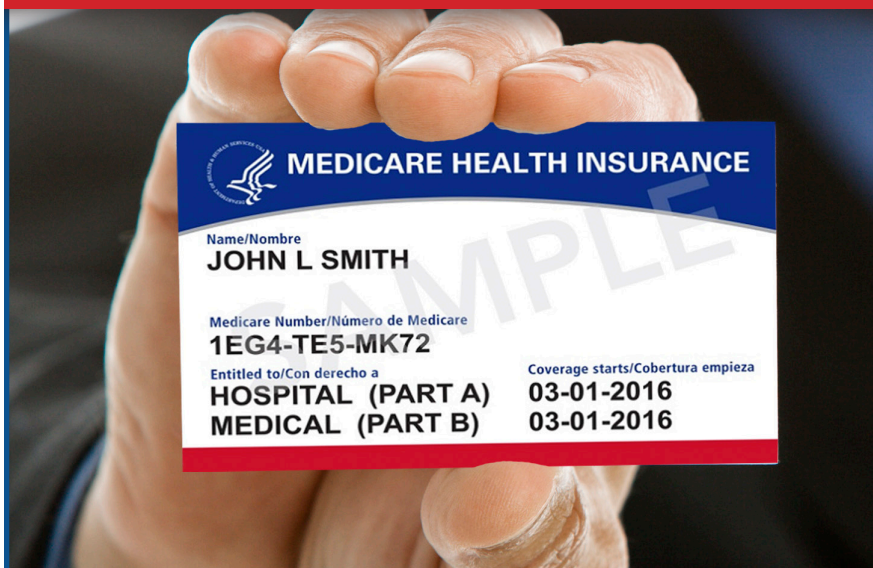
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 WisconsinSeniorMedicarePatrol

## Give Your Family the Gift of Clarity and Peace of Mind

*By Hougum Law Firm*

Thoughtful estate planning brings comfort today and clear direction for your loved ones in the future.



The end of the year often brings time for reflection. It's when families gather, conversations flow, and the realities of life and loss can come into sharper focus. It's also one of the best times to make sure your affairs are in order and that your loved ones know what to do if something happens to you.

When it comes to estate planning, one of the most valuable tools you can create is an **estate inventory**. While it doesn't replace a will or trust, it's an important first step that helps you, your loved ones, and your legal team stay organized and prepared.

An estate inventory is a clear list of what you own and owe, from property and financial accounts to personal and digital assets. It provides a roadmap that helps your family understand your financial picture and reduces stress and confusion during an already difficult time.

Creating an estate inventory can be simple. Start by gathering important documents such as property deeds, vehicle titles, insurance policies, and retirement account statements. Then, make a list of your personal property, including homes, vehicles, jewelry, collectibles, and other valuables. Do not forget about your financial accounts and debts, including checking and savings accounts, credit cards, and mortgages.

In today's world, digital assets also play a role. Online banking, investment logins, photo storage, and even social media accounts can contain valuable information or sentimental importance. Keep a secure record of these and make sure someone you trust can access them if necessary. Once your inventory is complete, store it in a safe place and share its location with a trusted person. It's a good idea to update it anytime life changes, after a move, a new purchase, a birth, or a loss.

But an inventory alone isn't enough. To truly protect your family and ensure your wishes are carried out, you need a **comprehensive estate plan**, including properly drafted legal documents such as Powers of Attorney, a Will, and, depending on your goals, possibly a Trust. These tools provide the authority and clarity your loved ones will need when the time comes.

Proper estate planning goes beyond paperwork. It's about providing peace of mind for yourself and clarity for your family. When everything is documented and legally sound, your loved ones can focus on supporting one another instead of worrying about what to do next.

At Hougum Law Firm, LLC, we help families across Wisconsin turn that foundation into a personalized plan that protects what they've worked hard to build. Whether you're just beginning the planning process or updating an existing plan, we're here to guide you every step of the way.

**Plan today, so they're protected tomorrow.**



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# Healthy Benefits of Vitamin D

Vitamin D, whose actual name is Calciferol, is often known as the “sunshine vitamin”. This is because Vitamin D is naturally produced when your body is exposed to sunlight. This vitamin helps with such things as regulating the amounts of Calcium and Phosphate in the body which are crucial for bone and muscle health. Vitamin D is most readily absorbed when the skin is exposed to sunlight but can also be found in certain foods such as fatty fish (tuna, salmon, herring, trout and sardines), beef liver, fortified dairy products (milk and yogurt), and mushrooms. Other foods that are fortified include cereal and orange juice. This vitamin can also be taken in the form of a supplement to help prevent deficiency, especially in the winter months. Research shows that about 35% of adults in the US are vitamin D deficient, which puts them at risk for various health problems such as brittle bones and heart disease. Vitamin D helps your body function in many ways and is important for the following:



- 1. Bone Health.** Vitamin D helps to promote healthy teeth and bones by assisting your body in absorbing Calcium, which is one of the main building blocks of bones. Vitamin D thus helps in the prevention of Osteoporosis, a disease that makes bones brittle and susceptible to breaks.
- 2. Muscle Health.** Phosphate is a mineral that is absorbed in the gut with the help of Vitamin D. Phosphate is involved in such things as muscle contraction and when levels are low some can experience cramping, weakness and pain.
- 3. Cognitive Function.** Studies have shown that Vitamin D can help with brain function. Low levels have been found in those with Parkinson’s, Multiple Sclerosis and Alzheimer’s.

- 4. Mental Health.** Low levels of Vitamin D have been associated with incidences of depression, although studies haven’t proven low levels cause depression, studies do show Vitamin D does support brain health in general.
- 5. Immune system function.** Vitamin D has anti-inflammatory properties that make it essential for a properly functioning immune system.

## DECEMBER RECIPE: Spicy Tuna Salad

### Ingredients:

- 1 medium carrot, finely diced (about ½ cup)
- ½ cup peas
- ¼ cup mayonnaise
- 2 tablespoons fresh lemon juice
- 2 (5 oz) cans oil-packed tuna, undrained
- ½ teaspoon salt



### Directions:

Fill a small pot with water and add diced carrots. Bring to a simmer and cook for about 3 minutes. Add peas and cook until the peas are heated through and the carrots are just tender, about 2 minutes more. Drain; set aside to cool for 5 minutes.

Meanwhile, combine mayonnaise and lemon juice in a medium bowl. Add tuna including the oil from the cans and combine, stirring and breaking up larger chunks of tuna as needed. Add the carrots, peas and salt to the tuna mixtures; still until well combined.

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# Wartime Christmas *By Ken Anderson, themayberryguru@gmail.com*

As we celebrate another Christmas, we will hear the familiar mantra "Peace on earth, goodwill toward man". As Americans, we can be thankful that at no time since the Civil War has America celebrated Christmas with war upon its soil. For the most part, Christmas in America has always been celebrated with long-standing traditions and joy. However, throughout our history, many fathers, sons, and brothers were absent at Christmas as they were engaged in warfare in other parts of the world.

For the people of Great Britain, this is certainly not true. Sadly, Britain celebrated Christmas while experiencing bombardment from Germany. Beginning in 1915, Britain was attacked during World War I by German airships, the Zeppelins, and later by Gotha bomber planes. These attacks became more numerous as the war progressed. For four long years, Britons did not experience any "Peace on Earth, goodwill toward man".

During the first Christmas of World War I in 1914, an unplanned Christmas Truce occurred along the Western Front. British and German soldiers spontaneously ceased hostilities, with over 100,000 soldiers participating, meeting in no-man's land to exchange gifts, sing carols, and even play football. However, this was a one-time truce and was never repeated during the remaining years of war.



When the armistice of the Great War was finalized, little did the people of Britain realize that within twenty years, the sounds of war would once again prevail throughout their land. Christmas would once again be celebrated without many fathers, sons, and brothers gathered around the Christmas tree. It would be six years before the normalcies of Christmas would return to the families of Britain.

Not only were thousands of men away from their homes fighting for their homeland, but many mothers were also actively involved in the war effort. Each Christmas, thousands of children would spend Christmas away from their families as evacuees in the countryside. Children's gifts were often homemade and practical. When a child received a toy, it would be made from recycled, cheap materials. In 1941, to conserve paper, the Ministry of Supply decreed that 'no retailer shall provide any paper for the packing or wrapping of goods excepting food stuffs or articles which the shopkeeper has agreed to deliver.' This meant children often received their gifts unwrapped.

This Christmas will be my 79th, and like all others, it will be a wonderful, joyful time spent with family and friends. Linda and I will have an abundance of food, and our gifts will be beautifully wrapped. And I pray someday the entire world will enjoy "Peace on Earth and goodwill toward man."



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# Social Security Announces 2.8 Percent Benefit Increase for 2026

Adapted from [blog.ssa.gov](https://blog.ssa.gov)

Social Security benefits and Supplemental Security Income (SSI) payments for 75 million Americans will increase 2.8 percent in 2026. On average, Social Security retirement benefits will increase by about \$56 per month starting in January. Over the last decade the cost-of-living adjustment (COLA) increase has averaged about 3.1 percent. The COLA was 2.5 percent in 2025.

Nearly 71 million Social Security beneficiaries will see a 2.8 percent COLA beginning in January 2026. Increased payments to nearly 7.5 million people receiving SSI will begin on December 31, 2025. (Note: Some recipients receive both Social Security benefits and SSI).

“Social Security is a promise kept, and the annual cost-of-living adjustment is one way we are working to make sure benefits reflect today’s economic realities and continue to provide a foundation of security,” said Social Security Administration Commissioner Frank J. Bisignano. “The cost-of-living adjustment is a vital part of how Social Security delivers on its mission.”

Some other adjustments that take effect in January of each year are based on the increase in average wages. For example, the maximum amount of earnings subject to the Social Security tax (taxable maximum) is slated to increase to \$184,500 from \$176,100.

Social Security begins notifying recipients about their new benefit amount by mail starting in early December. Those who have a personal my Social Security account can view their COLA notice online, which is

secure, easy, and faster than receiving a letter in the mail. You can set up text or email alerts when a new message—such as your COLA notice—is available in your my Social Security account.

You will need to have a personal my Social Security account by November 19 to see your COLA notice online. To get started, visit [www.ssa.gov/myaccount](https://www.ssa.gov/myaccount).

Information about Medicare changes for 2026 will be available at [www.medicare.gov](https://www.medicare.gov). For Social Security beneficiaries enrolled in Medicare, the 2026 benefit amount will be available via my Social Security’s Message Center starting in late November. Those who do not have an online my Social Security account will receive their COLA notice by mail in December.

The Social Security Act provides for how the COLA is calculated. The Social Security Act ties the annual COLA to the change in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) as determined by the Department of Labor’s Bureau of Labor Statistics.





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# How are Special Needs Trusts Used to Avoid a Wasteful Spend Down?

by James Giese, Wispact Director of Outreach

Individuals over age 65 and planning to apply for Medicaid benefits or go onto long term care are generally faced with the million dollar question (or more appropriately, the \$2,000 question), “How do I get under a \$2,000 asset limit?”

Pursuant to federal and state law, individuals with disabilities who have more than \$2,000 in available assets are not eligible for means-tested public benefits, such as Medicaid<sup>1</sup> and Supplemental Security Income (SSI)<sup>2</sup>. A “means-tested benefit” (also known as a “needs-based benefit”) is a public benefit provided by the federal or state government agencies (i.e., Department of Health Services and Social Security Administration) to an individual based on his or her income and resources or assets. Therefore, individuals with disabilities looking to apply for means-tested public benefits, but have over \$2,000 in available assets, need to find ways to become eligible for these types of benefits. Typically, they “spend down” their assets before they can apply for and receive public benefits. However, this “spend down” option becomes impractical when an individual acquires large sums of funds at once (e.g., damages awarded in a personal injury settlement, sale of a house, cash distributions from an IRA, or an inheritance from a deceased relative). In scenarios more conducive with the latter category, individuals looking to apply for means-tested public benefits might not have the option of a spend down and are therefore left scrambling trying to find a solution to their health benefit needs. Luckily, there is another option for individuals with disabilities applying for means-tested public benefits who are over the asset limit – transferring funds to a special needs trust (“SNT”) or a pooled special needs trust (“PSNT”).

With a traditional trust, such as a revocable living trust, assets titled in the name of the trust or “owned” by the trust are countable and may prevent the individual from qualifying for means-tested public benefits. Conversely, federal law was passed to allow for the creation and funding of an SNT or PSNT, whereby the assets of the individual placed into the SNT or PSNT are not countable under the means-tested public benefits eligibility rules<sup>3</sup>.

For example, gifted assets have a five-year “look back” restriction. However, by putting their assets into a Special Needs Trust, an individual with a disability can receive public benefits and conserve their assets. These assets can be later used to pay for certain expenses which will improve the quality of their life.

## I’m over 65 years old, can I create my own SNT and have my child act as Trustee?

The short answer is “No.” According to federal statute, if a person desires to create a standalone self-settled SNT (a/k/a (d)(4)(A) trust, referring to the federal code), they must be under age 65.

## Well, if I can’t create my own SNT, what options do I have?

If spending down the funds is not a practical or available option for an individual with a disability and they are over age 65, they still have the option to create a first-party funded PSNT sub-account (a/k/a (d)(4)(C) trust). For Wisconsin residents, the two most commonly used PSNT organizations are Wispact, Inc.<sup>4</sup> and Life Navigators<sup>5</sup>.

If the sub-account is properly created, funds of an individual with a disability placed into a sub-account in a PSNT created for that individual’s sole benefit will be considered an exempt resource for means-tested public benefits purposes.

*For purposes of this article, PSNT creation and usage will be detailed using Wispact as the PSNT organization.*

## Using SNTs in Estate Planning by Family Members of Individuals with Disabilities

Another situation in which SNTs are used is in estate planning for individuals with disabilities by parents, grandparents, and others. Giving a gift of money or property directly to individuals with disabilities could put them over the \$2,000 asset limit if they receive or plan to apply for means-tested public benefits. Instead, the money (e.g. an inheritance) can be directed to and placed into a third-party SNT. Directing the funds to a third-party funded SNT, allows the individual to use the money without being concerned about the means-tested financial eligibility restrictions. For example, funds placed into a Wispact Trust II sub-account (third-party funded PSNT) are considered exempt to the individual with a disability for means-tested public benefits purposes. Please be aware that to remain an exempt resource for the Wispact Beneficiary, the funds in the individual’s Wispact Trust sub-account can only be spent for the sole benefit of the Beneficiary.



## How is a Wispact Trust I Sub-Account Created?

In its simplest form, a Wispact Trust I account Contribution Agreement is advised on and completed by a licensed Wisconsin attorney familiar with Special Needs or Elder Law. The trust application form is then submitted to Wispact for legal review. If the application meets the requirements set forth by Wispact and its Trustee (in accordance with federal and state laws), it is forwarded to the Trustee for its approval, and the Trust sub-account is created.

*For more information on Wispact and how a sub-account within its PSNT may benefit you or a family member, please visit [www.wispact.org](http://www.wispact.org) or contact James Giese at (608) 268-6006.*

Sources: <sup>1</sup>Wisconsin DHS Asset Limit. <sup>2</sup>Social Security SSI Asset Limit. <sup>3</sup>42 U.S.C. § 1396p(d)(4)(A) & (C). <sup>4</sup>Wispact, Inc. <sup>5</sup>Life Navigators.



Our Special Needs Trusts help preserve the assets of people with disabilities without endangering their eligibility for public benefits. For information on setting up a Wispact Trust use our Contact Us Form at [wispact.org/contact-us/](http://wispact.org/contact-us/)

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