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*Specializing in Estate Planning, Personal Injury, Workers' Compensation,
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Why Aren't They Paying My Medical Bills? (I'm the Injury Victim!)

Nothing seems to upset car accident victims more than discovering the negligent driver's insurance company won't pay their medical expenses.

The typical scenario: You're injured in an auto accident. The negligent driver's insurance company contacts you. They refuse to pay your medical bills until the case settles. You're hurting, and know you need further medical treatment. You're outraged!

How can big insurance companies get away with this? It's legal. While they may be liable for your injuries, no law compels them



to pay you anything until your case is settled, or decided in court.

Don't count on changing this policy. Your energy is better spent pursuing your other available payment

options.

Med Pay: Your first option is to receive help from your own insurance company. "Med Pay" is insurance money, available under most policies, to pay for your medical bills. Typically available in amounts of \$2,500-5,000. If your injuries are minor, you may want to seek Med Pay yourself. Call your agent and ask how much is available, and how to submit your bills for payment.

Don't worry, this option won't increase your insurance rates or hurt your future coverage. You weren't the negligent party that caused your injuries.

Health Insurance: If your injuries are serious,

"Med Pay" will not cover all of your medical expenses. You should then move onto your next option – your health insurance. Again, I realize this idea runs against the grain for most. Just keep in mind that medical treatment to regain your health is the priority here. If your carrier is aware that the negligent driver's insurance is not paying, there shouldn't be a problem.

Medical Lien: If you've struck out, or exhausted the above options, then you should request your medical provider to file a "medical lien." That way, the doctor is assured of getting paid before you do (they like that). They'll want to know that you've hired an experienced law firm who will recover an award in your case in order to pay them.

The critical mistake to avoid is a lapse in treatment. In the insurance world, "I didn't have the money to treat" is not an excuse. For your health, and for your claim, find a way to treat medically until your doctor releases you. ■

A Note From Bill

The heat and humidity are finally loosening their grip – thank goodness – as early fall begins to creep into the Midwest. I hope your summer was filled with many memory-makers. However, your road-trips don't have to end on Labor Day weekend. There are many good reasons to travel this time of year: crowds diminish, gas prices and motel rates drop, and temperatures are milder. Best of all, fall festivals in Nebraska are abundant – the Apple Jack Festival in Nebraska City (9/18-20), the Greeley Irish Festival (9/19), and the Sidney Oktoberfest (10/2-4). If you're a runner, check out the "Harvest Moon Hustle" in Elmwood (9/18). Your time outdoors is time well-spent.

How to Avoid Financial Hardship



A 2012 study determined that approximately 52% of Americans are spending more than they earn. No real surprise there. Few of us have ever received any formal financial, or money management, education. So here's a primer that hits the highlights.

1. Build a Budget. Surprisingly, less than 50% of American households have prepared a budget (probably the same group that overspends each year). While this is a loathsome task – it's key to getting on track. The concept is the same whether you use a kit or pencil and paper: track your expenses, separate fixed and discretionary spending, create realistic

goals, set your budget, and stick with it.

2. Avoid Debt Traps. Major financial decisions need to be carefully thought out. Rash judgment, usually triggered by desperation, can land you in a long term trap. Pay day loans, debt settlement scams, or misusing a credit card, just to name a few.

3. Make Savings a Priority. Pay yourself first from each paycheck. Aim for 10-15% (sure, more would be nice). Do it automatically each pay period. According to federal statistics for April, 2015, 25% of American households have no savings at all. The national average is \$3,950 (total!). Worse yet, the average credit card debt balance is \$2,200. That doesn't leave much to draw upon on a "rainy day."

4. Avoid Overspending on Housing. Many people are "house poor." Their rent or mortgage pay-

ment is far beyond what they can afford, leaving them very little to live on otherwise. As a rule of thumb, you should try to keep housing costs under 20% of your income.

5. Invest in Yourself Instead of Stuff. Don't under-invest in areas with long-term benefits, such as education and career development. These are appreciating assets that will pay for themselves many times over.

6. Avoid Buying Depreciating Assets. While most of us need a car to get around, expensive, luxury cars are not wealth-building assets. Quite the contrary. While it may look good in your driveway, it's depreciating in value every day. Focus instead on appreciating assets like stocks and real estate that grow in value over time and offer you resources in the future.

7. Learn to "Course Correct". There is almost

always a cheaper or better way of doing something. Make a habit of challenging your personal money handling to find, and implement, alternatives for major expenses.

It's never too late to make some financial adjustments. While it may be difficult, the payoff can be huge. Not just in dollars, but more importantly your peace of mind. You don't want to be part of that 52% headed for hardship. ■

We Appreciate You

Thank you for choosing our firm for your legal needs. We hope that you will think of us as "your law office."

If you have a legal question, give us a call. If we don't practice in the legal area you need, we can refer you to another experienced attorney who does.

Grilled Steaks with Cherry Tomatoes & Basil

Prep Time: 10 minutes
Cook Time: 10 minutes

Ingredients:

1 tsp. vegetable oil
½ tsp. garlic powder
½ tsp. onion powder
¼ tsp. paprika
¼ tsp. dried oregano
¼ tsp. pepper
2 tsp. salt
2 1 ¼-lb. New York strip steaks
8 oz. grape or cherry tomatoes
2 T. olive oil
½ tsp. red wine vinegar
2 T. chopped basil



Brush cast-iron grill pan with vegetable oil; heat over medium-high heat until hot. In small bowl, combine garlic powder, onion powder, paprika, dried oregano, pepper, and salt. Rub mixture evenly onto both sides of the steaks. In another bowl, combine tomatoes, olive oil, red wine vinegar, and basil. Season with salt and pepper. Grill steaks 4-5 minutes per side for medium-rare, adding tomato mixture to pan during last 2 minutes of cooking. Let steaks rest 5 minutes, then slice and serve with tomatoes. ■

5 Biggest Mistakes in Estate Planning



Like most people, you probably have the best intentions for distribution of your property after death. Unfortunately, without proper planning, your best intentions may not be enough. Here are the 5 most common mistakes people make:

1. **Failing to plan.** The biggest mistake of all is failing to plan in the first place. Your “plan” should include a distribution document, like a Will or a Trust; both a Property and a Healthcare Power of Attorney; a Property Division List; and a document organization and storage plan. Your plan should be well thought out, thorough, and understood by yourself and all involved.

2. **Ignoring beneficiary “designations”.** Your property can pass to your

heirs in one of 3 ways: (1) designation, (2) Will or Trust, or (3) by state statute. By “designation”, I am referring to “POD” (Pay on Death), “TOD” (Transfer on Death), or JTWRWS (Joint Tenancy with Right of Survivorship). All such designations transfer property at your death without the need of Probate or a Trust. More importantly, designations always trump a Probate or Trust transfer. For example, suppose a Will says that all of the decedent’s property is to be split evenly between the children. However, the decedent’s checking account has a POD to son, John. Guess who is legally entitled to the entire checking account?!

3. **Skipping over POAs.** A Power of Attorney (POA) is a written document in which you grant another person(s) authority to make decisions, or act, for you. A Durable Power of Attorney gives someone the right to make decisions regarding your property. For example,

managing your checkbook. While a Power of Attorney for Healthcare authorizes someone else to make your medical treatment decisions if you are unable. Given the miracles of modern medicine, the odds are great that all of us will need to use our POAs, before our Will or Trust comes into play.

4. **Creating a cash deficient plan.** If all your property has been designated (JTWRWS, POD, or TOD), then it will all land directly in the hands of your beneficiaries. While this avoids the probate process and simplifies distribution, it may leave your Personal Representative without funds to pay taxes or last medical bills. Better to leave some non-designated cash in the estate to take care of these matters. In Nebraska, you can leave as much as \$50,000 in cash without driving the estate into probate.

5. **Not reviewing your plan.** Once you’ve got an estate plan in place, it’s important to keep it up to date. Everyone’s circum-

stances change over time. A marriage, divorce, children, a major change in assets, or changes in the law – all can impact your plan. If nothing else, a periodic review should be done to make sure your wishes are still expressed.

Estate planning involves a lot of pieces nowadays. So, carve out some time to plan how these pieces should fit together for you. Then get some help to create the documents you need, and periodically check your plan to see if everything still fits. ■

Thanks for the Referrals

Our success depends on your continued satisfaction, and on the family and friends you refer to us.

Thanks for your help. We appreciate the trust that you have placed in us. Please continue to remember to pass our name on to people who could use our help.

Thanks for Your Library Expansion Contributions!

We appreciate everyone that responded to our contribution challenge in the May newsletter. We were able to match \$1,900 in library contributions. A tidy sum for a very worthy project.

I decided to involve myself in this project because I truly believe that libraries improve lives. I don’t think the “joy of learning” always

comes from completing school assignments. More often, I believe it comes from curiosity and personal discovery. The kind that takes place in a quiet environment, when we have the opportunity to read and think.

Both of our daughters, at a very early age, viewed the Broken Bow Library as a

fun, almost magical, place to visit. They would search for, and sit with, books for hours (even before they could read). When arriving home from a library program, you’d have thought they’d been to the circus – they were that excited. It was no surprise to us that they were both early readers, and became lifelong

learners.

The increased program space in the Library’s new addition, and the much-needed renovations throughout, will ensure that future generations will also have an opportunity to discover this same joy of learning. And everyone in the community will benefit. ■



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Everyone Benefits From Strength Training



No matter your age, sex, or body type, everyone's workout plan should include strength training. Pass it by, and you risk some degree of "sarcopenia" — the loss of 3-5% of your muscle mass, per decade, after age 30. Embrace it, and you reap the following benefits:

1. **Healthy bones and muscle mass.** Research shows that one of the best ways to stop, prevent, and even reverse bone and muscle loss, is to strength train. Thus reducing the risk of

bone fractures.

2. **Burns fat and calories.** Weightlifting helps to melt away visceral fat as well as fat build-up around the body's organs, reducing the risk of cardiovascular disease and diabetes. In addition, the calorie burn continues after your workout.

3. **Prevents disease.** The wellness benefits of

strength training are numerous. From decreasing arthritis pain to building up your immune system. It even improves blood sugar control because muscles pull glucose from the blood stream, preventing dangerous sugar level spikes.

4. **Improves body mechanics.** Your balance and coordination will improve, as will your posture. If you

have poor flexibility and balance, strength training can dramatically reduce your risk of falling as you get older.

5. **Boosts energy levels.** Strength training will elevate your level of endorphins (natural opiates produced by the brain) which will make you feel great. A natural anti-depressant, it can also help you sleep better and will improve your overall quality of life.

Ready to pump some iron? Check with your doctor first if you have health issues. Work with a fitness expert to design a program that will be safe and effective for you. You'll look better, feel better, and live longer. What's not to like about that? ■

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