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## *How To Deal With The Other Guy's Insurance Company (Without Hurting Your Claim) (#5 of "7 Strategies for a Successful Nebraska Injury Claim")*

You should recognize at the outset of your claim that you are now in the midst of a battle with the other guy's insurance company. No matter how pleasant the insurance representative may be (and they often are), or how many times the agent tells you they can help you settle your claim quickly – they are not a friend, but a foe. They are being paid well to find a way to deny or reduce the value of your claim. Worse yet, they may delay doing anything at all



until you are so frustrated—and broke—that you will take whatever lowball offer they make – so watch out!

You should also recognize that right from the

start, the insurance representative has the upper hand. They have been trained in these matters, probably have considerable experience, and typically have vast resources that you don't—like legal advisors to turn to for help. Also, they know what to look for to wreck your claim. They are under no obligation to help you, inform you of the law or advise you as to what is best for you.

So, if you have been seriously hurt, you should seriously consider not talking with the insurance carrier at all or signing any forms until you have consulted with a knowledgeable attorney. Just tell the agent you will be in touch with them after you have talked with an attorney.

If you choose to communicate with the agent—be careful!

The first thing the insurance carrier will probably

want is a recorded telephone interview about the accident, and your medical care. Beware! If you agree to this, carefully think through what happened. Prepare notes, including a timeline beginning several hours before the accident. If you answer a question with "I don't know" and later remember the answer, you could be accused of "changing your story." It is better to qualify answers to questions you know, with an answer like, "I can't recall that at this time." With some help, you can tell the complete truth and avoid hurting your claim. We at Steffens Law Office have a series of pointers we give clients. We also like to be part of the interview and record it ourselves.

Whatever you do, don't sign anything you don't completely understand or haven't carefully thought through.

In summary, the other driver wrecked your car. Don't let the other driver's insurance company wreck your claim, too. ■

## *A Note From Bill*

If you're like me, this past year has been a mixed bag of joy and sorrow. The death of loved ones, and the birth of new ones. The joy of good times with family and friends, and the disappointments that are just part of being human. I've been thinking that while some of us need Thanksgiving to remind ourselves to give thanks for all things, others seem to project an "attitude of gratitude" every day. Often times people who suffer grave illness or disability, seem the most grateful. In this country, it shouldn't take much reflection for most of us to find blessings in our lives so abundant they defy counting. Primarily because, by the grace of God, we were born and raised in America. And despite what the pundits say, our citizenship alone provides a cornucopia of freedoms and opportunities like no other place on earth. We can all be thankful for that.

# *The Affordable Care Act: How Does Obamacare Affect You?*



You no doubt have seen and heard much about the new health care law. Well, like it or not, it's not going away anytime soon. The major provision of this law requires all Americans to have health insurance by January 1, 2014. Everyone should be familiar with the basics of this new law, as they apply to them.

Exemptions under the Affordable Care Act: Recipients of Medicare, Medicaid, CHIP, COBRA, Veterans Affairs Health Coverage, or employer-based coverage are exempt from this law. You are considered to be already covered by health insurance.

Private Health Insurance is required for everyone else. The basics are as follows:

(a) Research and sign up. You will need to contact an insurance agency, or visit the now-infamous website (often referred to as the health insurance marketplace).

(b) Critical date. You must have insurance by January 1, or be enrolled through the website, by March 31, 2014.

(c) Financial penalty. If you miss the above deadline, you will be penalized one percent of your gross income, or \$95 per person in your plan (up to \$285 maximum), whichever is greater. You will also be ineligible to obtain health insurance for the year 2014, at least through the marketplace website.

(d) Eligibility for reduced premiums. Your health insurance premiums will be reduced if you are: single with an income below \$46,000; a household of two with a combined income below \$62,000; or a household of three with a

combined income below \$78,120.

(e) Expect more coverage. The new law requires coverage for 10 essential health benefits: outpatient services, emergency services, hospitalization, maternity and newborn care, mental health and substance use disorder services, prescription drugs, laboratory services, and pediatric services (including dental and vision care).

(f) Expect insurance premiums to go up. While the new law will give millions of Americans access to health insurance regardless of pre-existing health conditions, the down side will be a cost increase for most with current health insurance coverage. The cost increase for most people is due to three main components of the law: additional coverage (see above), guaranteed insurance for everyone no matter the illness or when they became ill, and the new inclusion of a

broad range of taxes and fees on health insurance companies.

Small Business Owners (50 or less) will be able to keep their current employee plan or shop for coverage through the government health insurance SHOP Marketplace. Tax credits, worth up to 50% of the employer's contribution towards the employee's premium will be available, but only if the employer obtains coverage through the SHOP Marketplace.

We advise you to be proactive. You don't have to wait for the government website to be fixed before becoming informed. Any private health insurance agency can provide you information. Additionally, unless you qualify for a reduced premium, there is probably little to be gained by using the website anyway. Finally, don't plan on the deadline being extended by much, regardless of the present chaos. ■

## *Holiday Florentine Cookies*

Cookies:  
2/3 c. butter  
2 c. quick oats  
1 c. sugar  
2/3 c. flour  
1/4 c. corn syrup  
1/4 c. milk  
1 t. vanilla extract  
1/4 t. salt



Filling:  
(1) 11.5-oz. pkg (2 c.) Nestle Toll House milk chocolate morsels

Cookies: Preheat oven to 375. Melt butter in saucepan. Remove from heat. Stir in oats, sugar, flour, corn syrup, milk, vanilla, and salt. Mix well. Drop by level teaspoons, 3" apart onto foil-lined cookie sheets. Spread thin with rubber spatula. Bake at 375 for 5-7 minutes. Bake. Cool. Peel foil away from cookies.

Filling: Melt chocolate morsels, stir until smooth. Spread chocolate on the flat side of half the cookies. Top with remaining cookies. ■

*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.

# What Is a Gun Trust? (Why You Might Need One)



In rural Nebraska, gun ownership is not a controversial issue. The vast majority of us not only own firearms, but also enjoy some type of recreational activity involving guns. For this reason, estate planning in this area of the country typically involves a plan for distributing guns.

**So then, what is a gun trust?** Like a conventional revocable trust, a “gun trust” is an estate planning vehicle into which you transfer guns from yourself (trustor) to an individual who will manage the gun assets in the trust (trustee).

You might wonder why a person might need a gun trust, in addition to their Will or their revocable trust. Primarily, because the best successor trustee for distributing your guns may not be the trustee for the rest of your property. Also, a gun trust incorporates special provisions which differ from a typical trust or Will. Finally, if the gun trust was scrutinized by a third party, you may not want to reveal the remain-

der of your estate plan.

**Why then might you need a gun trust?**

(a) To Provide for the Legal and Safe Distribution of Your Guns. While you may know exactly who will be the beneficiary of your gun(s), you don’t know where they might be living at the time of your death. Some states have very restrictive controls and bans upon firearms we consider commonplace. For example, California, Illinois, New York, and Virginia, to name a few. If your beneficiary is living in one of these states, possession of such assets could result in criminal charges. Additionally, an heir may not be mature or responsible enough at the time of your death to receive possession

of a firearm. You will need a discerning trustee to carefully review these issues and make these decisions for you.

(b) Asset Protection from Others. You

really cannot predict the situation of your beneficiary at the time of your death, and whether your guns could be taken from them. If your beneficiary has been sued and a resulting judgment is in place, a creditor may be able to take the guns. If your beneficiary is going through a divorce, the guns in their possession could be seen as “marital property.” In addition, if a “protection order” has been entered against your beneficiary, it may be against the law for them to possess any guns for a while. Your valuable guns could also disqualify your beneficiary from receiving a government benefit. All of this may be avoided if the trust continues to own the guns and your benefi-

ary chooses only to use them from time to time.

(c) Asset Protection from the Government. Legislation continues to become more restrictive, and many Americans fear the possibility of losing some types of firearms to government confiscation. In addition, a number of special interest groups are lobbying Congress to prevent future transfers of some firearms. The beauty of a Gun Trust is that it’s the registered owner, and not you. This renders any potential transfer legislation or restrictions inapplicable. Your intended beneficiary would simply become a “user” of guns owned by the gun trust.

If guns are very important to you, and the concerns raised in this article strike a chord with you, simply contact Steffens Law Office for more information about Gun Trust estate planning. ■



## Calling All Entrepreneurs!

Steffens Law Office will present a free business entity workshop on Wednesday, December 4, 2013, at 7:00 p.m. in the Broken Bow Cobblestone Hotel conference room. Whether you are considering a new legal entity (partnership, LLC, and S Corp.), or want to rev up an existing entity, you don’t want to miss out on this op-

portunity. In addition to a discussion about the pros and cons of your different entity choices, we will also be featuring Dan Zach, a CPA with Dana F. Cole & Co. in Broken Bow, and Janet Loughran, a financial advisor with Edward Jones in Broken Bow. Mr. Zach will discuss tax saving strategies, and Ms.

Loughran, will discuss retirement account options. We expect the discussion to be lively, and you are sure to walk away with a fresh idea to add to your business goals for 2014. If you are interested, please call us at (308) 872-8327 to make a reservation to ensure your receipt of the handout materials. ■

## 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.





**William V.  
Steffens**  
*Attorney at Law*



**Jeremiah J.  
Luebbe**  
*Associate Attorney*

## ***Fight Against The Flu***

The flu season is again upon us, and it's time to defend yourself. Officially, flu season began in September and lasts until May. Your first, and best, line of defense is a vaccination. Not only does this decrease your chance of catching the flu, it also delivers additional benefits. For instance, it diminishes your chance of a heart attack or stroke. For those in their mid-60's or older, this risk is cut by 36%. For those who have already suffered a major cardiac event, their chance of suffering another one is lowered by 55% with a flu vaccination.

If you're thinking you will probably get the flu anyway, a vaccination is

still a smart choice. Research shows that the severity of your symptoms will be significantly reduced by an injection.

If you are squeamish about a shot deep into your bicep muscle, ask your doctor about an "intradermal injection." The micro needle is 90% smaller (the di-

ameter of a human hair) and travels only a tenth of an inch deep. While only recommended for 18-64 year olds, tests show it to be just as effective as the deep muscle tissue injection.

Don't forget the five other key health habits that ward off illness:

(1) Stay active with at

least 30 minutes of exercise a day.

(2) Watch your weight to keep inflammation down.

(3) Eat a well-balanced, nutritious diet.

(4) Keep your hands clean, and avoid touching your eyes, mouth, and nose as much as possible.

(5) Get at least 7 hours of sleep each night.

If you get the flu, stay home and rest. This will be best for you, and the rest of us will all appreciate your decision to avoid infecting us.

Some illness is inevitable, but keeping your immune system healthy, together with a vaccination, is your best defense. ■

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