

2026 Edition Highlights

Some of the new features and recent developments in the 2026 edition include:

- Chapter 1:
 - Updated demographic statistics regarding elders 85 and older
 - Updated federal income and poverty levels relating to race and age
 - Updated federal disability statistics relating to age
 - Added new § 1:4 examining the growing trend of elders living alone
- Chapter 2:
 - Added new § 2:6 on accessible websites
- Chapter 3
 - Rewrote § 3:19 to address the new MRPC 1.14 on clients with decision-making limitations
- Chapter 4:
 - Added information to §§ 4:2 and 4:4 regarding congressional funding but failure to reauthorize the Older Americans Act at the end of 2025
 - Added new § 4:30 on employment fraud
 - Updated § 4:42 regarding litigation over cuts to the Consumer Fraud Prevention Bureau
- Chapter 4A:
 - Adult protective services and mandatory reporting statutory amendments noted for California, Illinois, Indiana, Kansas, Louisiana, Maryland, Montana, Nevada, Oklahoma, and Texas
- Chapters 5, 6, 8, 9, 10, 11, 12, 13, 14:
 - Dollar amounts updated to reflect large increase in the tax exemptions and high-end of the income tax brackets due to recent inflation
- Chapters 6, 8, 11:
 - Some clarity brought to the tax laws due to the permanency of the One Big Beautiful Bill Act (OBBBA) since the tax provisions within it are permanent and do not sunset
- Chapter 15:
 - Added discussion of increased wait times and move to appointment-only for in-person visits in § 15:10
 - Added discussion of “advanced age” for determining ability to perform prior work and residual functional capacity in § 15:144

- New benefit amounts for 2026 and new case annotations were added
- Chapter 16:
 - New benefit amounts for 2026 and new case annotations were added
- Chapter 17:
 - Rewrote § 17:2 to highlight the staff and budget cuts experienced by the VA in 2025
 - Added information about presumptive service connection for bladder, ureter, and related genitourinary cancers due to exposure to fine particulate matter
 - Updated disability compensation, dependency and indemnity compensation, and pension benefit amounts for 2026
 - Rewrote § 17:35 regarding rebranding of VA nursing homes to community living centers
 - Added § 17:48 on new apportionment of benefits rules
- Chapter 18:
 - Documented President Biden’s reduction of the overpayment recovery rate to 10% followed by President Trump’s return to a 100% overpayment recovery then reduction to 50% in 2025
 - New benefit amounts for 2026 and new case annotations were added
- Chapter 20:
 - Updated the statistics regarding the budget for veterans’ retirement and disability programs
 - Updated COLA figure for 2026 in § 20:59
 - Rewrote § 20:131 to address risks of private equity investment by public pension funds.
- Chapter 21:
 - Discussion of the impact of the Medicaid cuts in the One Big Beautiful Bill Act (OBBBA) on Long-Term Care in § 21:1
 - Updated statistics on nursing home and assisted living costs in § 21:6
 - Updated Medicare copayment rates for 2026
 - Discussed the demise of the Biden administration’s increased staffing rules in §§ 21:27 and 21:31
- Chapter 22:
 - Discussion of the impact of the Medicaid cuts in the One Big Beautiful Bill Act (OBBBA) on Home and Community Based Care in § 22:1
 - Added a discussion of race inequity in hospice care to § 22:6
 - Updated § 22:36 with a discussion of state Medicaid fraud enforcement

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- Chapter 23:
 - Updated statistics on Medicaid nursing home market share in § 23:9
 - Discussed the demise of the increased staffing regulation in § 23:9
 - Updated information about California, Illinois, Maryland, Nevada, North Dakota, and Washington
- Chapter 24:
 - Updated financial costs of medical care data, the increased cost of long-term care insurance, and IRS deductibility limits for long-term care insurance in § 24:1
 - Updated § 24:29 examining the new disability discrimination regulation of health provider's impact on Medigap plan administration and the broader litigation against the new regulation
- Chapter 25:
 - Updated footnotes in §§ 25:6 and 25:29 to include new limitations on Medicare Coverage for non-citizens under the One Big Beautiful Bill Act (OBBBA) signed into law on July 4, 2025
- Chapter 26:
 - Updated to reflect QMB and SLMB 2026 income limits increased modestly for both Medicare Savings Program participants—relief from payment of the Part B premium, only for SLMBs and additional coverage for deductible and co-payments for QMBs. 2026 Medicare Parts A and B Premiums and Deductibles, <https://www.cms.gov/newsroom/fact-sheets/2026-medicare-parts-b-premiums-deductibles>
 - Updated to reflect standard Part B premium went from \$185 (2025) to \$202.90 (2026) and Part B deductible increased from \$257 (2025) to \$283 (2026)
- Chapter 26A:
 - Discussed in § 26A:41 that CMS requires all Medicare Advantage plans to include a limit on out-of-pocket beneficiary spending; the maximum out-of-pocket permitted is \$14,000 for in- and out-of-network services, combined and \$9,350 for in-network services in 2025; the average limit in-network was \$5,320 and for local and regional PPOs, \$9,547
- Chapter 26B:
 - Updated § 26B:1 to include changes to the Low-Income Subsidy Program as it relates to non-dual eligible Medicare beneficiaries for 2026
 - Updated cost and benefit parameters for standard Medicare Part D benefits for 2026
- Chapter 28:

- Updated 89 Fed. Reg. 79294 (Sept. 27, 2024) to 90 Fed. Reg. 55869 (Dec. 04, 2025) updating amount in controversy for the right to an administrative hearing
- Chapter 29:
 - Updated footnotes in §§ 29:25, 29:26, and 29:27 to include a note about the Medicare Savings Program Final Rule in the One Big Beautiful Bill Act (OBBBA) signed into law on July 4, 2025
 - Updated resource and income limits for the Cost sharing groupings (§§ 29:24 to 29:29)
 - Updated section § 29:34 to include new limitations on Medicaid Coverage for non-citizens under the One Big Beautiful Bill Act (OBBBA) signed into law on July 4, 2025
 - Added new sections §§ 29:47 and 29:48 discussing the work requirement changes going into effect December 31, 2026, under the One Big Beautiful Bill Act (OBBBA) signed into law on July 4, 2025
 - Updated Medically Needy States (§ 29:54)
 - Updated Community Spouse Resource Allowance (§§ 29:60, 29:61, 29:97)
 - Updated footnotes in §§ 29:64 and 29:71 to include the updated home equity limits beginning in 2028
- Chapter 32:
 - Updated dementia and Alzheimer’s Association information to include recent discoveries and new disease demographic information
 - Added new § 32:4 discussing the progression of Alzheimer’s disease and other types of dementia
 - Updated Appendix 32-1
- Chapter 33:
 - Delaware and Utah enacted the Uniform Health-Care Decisions Act
 - Updated statutory citations and URLs for tables
 - Statutory form amendments noted for Delaware, New Jersey, Oregon, Utah, and Washington
- Chapter 34:
 - Kansas adopted the Uniform Guardianship, Conservatorship, and Other Protective Arrangements Act
 - Updated state guardianship statute citations and URLs for Table 1 and added new case citations
 - Added discussion and citations regarding public guardianships to § 34:36
- Chapter 35:
 - Rewrote § 35:24 adding discussion and citations regarding social media advertising targeting younger employees

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- Rewrote § 35:46 adding discussion of *Kean v. Brinker International, Inc.*, 140 F.4th 759 (6th Cir. 2025)
- Rewrote § 35:76 adding discussion of Cat’s Paw theory in *Gaines v. Dart*, 158 F.4th 829 (7th Cir. 2025)
- Rewrote § 35:102 adding discussion and citations regarding statute of limitations issues involving online filings
- Updated § 35:179 in light of the Trump administration’s continued dismantling of the Consumer Finance Protection Bureau
- Addition of new age discrimination case citations
- Chapter 36:
 - Rewrote § 36:39 about ADA protections for retired employees in light of *Stanley v. City of Sanford, Florida*, 606 U.S. 46, 145 S. Ct. 2058, 222 L. Ed. 2d 331 (2025)
 - Rewrote § 36:69 to discuss on-going litigation challenging the Olmstead integration mandate regulations for Section 504 of the Rehabilitation Act
 - Rewrote § 36:88 to discuss on-going litigation against the Biden administration’s non-discrimination regulations for health care providers and facilities
 - Rewrote § 36:93 to discuss the Trump administration’s regulatory attack on disparate impact enforcement under the Fair Housing Act
 - Updated Utah and Wyoming statutory citations in § 36:97