Modifications per FINRA Review Letter FR2014-0721-0361 October 8, 2014

How to Prosper and Thrive in Retirement

1. In the section "Maintain Your Independence" and "How to Leave Assets to the Heirs" each item has received a basis for substantiation. The following verbiage and footnotes have has been added:

and note that this is a hypothetical example that does not reflect any particular products.

¹³ IRS <u>http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Estate-Tax October 20, 2014</u>

¹⁴ IRS publication 590 <u>http://www.irs.gov/publications/p590/ar02.html</u> shows a 26 year life expectancy for a couple both age 65

¹⁵ IRS Instructions for form 709, 2014 www.irs.gov/pub/irs-pdf/i706.pdf

This footnote was already present at the time of FINRA Review substantiating the cost of life insurance:

¹⁶ Protective Life Insurance Company

Custom Choice UL 100 - To Age 100 9/23/13, Florida Male, Preferred Plus., annual premium \$15,454. Note that the purchase of life insurance incurs charges and commissions and potential surrender charges. Not everyone is insurable and actual costs will depend on several factors including health.

¹¹Substantiation was updated and hyperlinked for facts on length of stay in nursing homes

- 2. Language added to footnote 2: CDs are subject to availability and this does not constitute an offer to buy or sell.
- 3. Verbiage added to footnote 7: Note that the interest on municipal bonds is free from federal income tax and likely also free from state income tax if the owner resides in the state of issuance. It is possible that such interest could be subject to AMT or taxable as ordinary income from private activity bonds
- A hyperlink has been added to footnote 14: IRS publication 590 <u>http://www.irs.gov/publications/p590/ar02.html</u> shows a 26 year life expectancy for a couple both age 65

- 5. This disclosure was added to page 11: Be aware that tax laws, exclusions and estate exemptions are subject to change.
- 6. "How to prospect and thrive in retirement" has been changed to: For those who want to Prosper and Thrive in Retirement (pages 1 and 2)

Financial Industry Regulatory Authority

October 8, 2014

FINC

Anna Lautenbach Packerland Brokerage Services, Inc. 432 Security Blvd Green Bay WI 54313

Reference: FR2014-0721-0361/E

Org Id: 37031

REVIEW LETTER

 How to Prosper and Thrive in Retirement Rule: FIN 2210
 pages
 Fee: \$175
 Total Fee: \$175

Attention: Anna Lautenbach

Revisions are necessary for this material to be consistent with applicable standards.

The dollar values used for the long-term care and health insurance premium and annual premium in the illustration titled "How to Leave Assets to the Heirs" on pages 11 and 12 lack basis and must be deleted, pursuant to FINRA Rule 2210(d)(1)(A).

To provide a sound basis for evaluating the facts, the material must be revised to address the following, pursuant to FINRA Rule 2210(d)(1)(A):

- With respect to the specific CD discussed on page 4, an explanation must be included to the effect that CDs are subject to availability and this does not constitute an offer to buy or sell.
- We note the reference to a federal and state tax exempt bond on page 5. However, the risk discussion must indicate which income taxes apply, or which do not, unless income is free from all applicable taxes (e.g., AMT).
- We note that footnote 14 on page 12 does not appear to link to any information.
- An explanation to the effect that tax laws and exclusion rates are subject to change must accompany the discussion titled "How to Leave Assets to Heirs" on page 11.

The title "How to Prosper & Thrive in Retirement" on the 1st and 2nd pages is promissory and must be revised, pursuant to FINRA Rule 2210(d)(1)(B). For example, we may not object if the title were presented as a goal or an objective.

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The material must be revised to clarify and reflect any relationship between the member (Packerland Brokerage Services, Inc.) and any non-member (P&R Associates, Financial Educators,), pursuant to FINRA Rule 2210(d)(3)(B).

In addition, the communication should clearly state that Mr. Petcka is a registered representative of Packerland Brokerage Services, Inc., pursuant to FINRA Rule 2210(d)(3)(B).

Reviewed by,

Natlyn D. Murrain Senior Analyst

hrm

This year's Advertising Regulation Conference will be held on October 9-10 in Washington, D.C. For more information and to register, please view our online brochure at <u>http://www.finra.org/conferences/adreg3</u>.

NOTE: This review is limited to the communication that was filed. We assume that the communication does not omit material facts, contain statements that are not factual, or offer opinions that do not have a reasonable basis. This communication may be described as "Reviewed by FINRA" or "FINRA Reviewed"; however, there must be no statement or implication that this communication has been approved by FINRA.

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For Those Who Want to Prosper & Thrive In Retirement



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For Those Who Want to Prosper & Thrive in Retirement

Written by Financial Educators

Provided to you by

The Four Important Financial Issues for Retirees

In this short booklet, we cover the most important issues:

- How to generate sufficient retirement income
- How to maintain affordable health coverage
- How to maintain your independence at advanced ages
- How to best leave assets to heirs

We can only touch on the major aspects of each issue and you're invited to phone us with your questions or concerns.

Of great importance is to remember that you will likely live longer than you may realize. Here are the life expectancies for specific attained ages:¹

If you have reached age	The AVERAGE person can expect to live this number of additional years
65	21
70	17
75	13
80	10
85	8
90	5
100	3

Please keep your long life expectancy in mind when considering the issues in this booklet.

¹ IRS Publication 590, Appendix C January 30, 2013

Having Sufficient Income

Many retirees want to generate sufficient income so that they never need to consumer their principal. In fact, most invest in a manner that will increase the probability of using their principal. You may be doing this also. Many retirees think that they must keep their principal safe and available, so they invest in low yielding short-term investment such as money market funds and CDs.

These investments pay a very low return, but they are highly liquid. They include the following:

- Savings accounts
- Checking accounts
- Treasury bills
- Money market accounts

Most retirees are lulled into the false safety of these investments. Let me show you why. First, let's take a look at bank accounts. Bank investments typically pay 2% or less. After you subtract taxes and inflation, you have a negative return.

Interest CD $1.04\%^2$ Income taxes $.26\%^3$ Consumer inflation $1.20\%^4$ Net real return to you -.42%

You must remember that while your money sits in a savings or money market account for the year, the prices at the supermarket are rising 1-2%. This inflation must always be subtracted from any investment return so that you see how much you are really ahead. In the case of the savings account, you're not ahead – you're behind! Economists call this the "real return," because it represents what you are really receiving.

So why do retirees have such a preference for investments with a negative return? First, most retirees do not even realize that they have a negative return. Secondly, retirees like the flexibility of having the money liquid in case of an "emergency." What type of an emergency do you anticipate? Ill health? A nursing home stay? These concerns are

 ² GE Capital Retail Bank 1/6/14, \$25,000 deposit, 1 year CD, <u>www.bankrate.com</u>. CDs are subject to availability and this does not constitute an offer to buy or sell.
 ³ 25% federal tax bracket for 2014 applies to single taxpayers with taxable income from \$36,900 to \$89,350, and

³ 25% federal tax bracket for 2014 applies to single taxpayers with taxable income from \$36,900 to \$89,350, and married taxpayers filing jointly with taxable income from \$73,800 to \$148,850, and additional 5% state income tax is hypothetically assumed.

⁴ http://bls.gov/news.release/cpi.nr0.htm November 2013, increase in CPI previous 12 months.

legitimate. The cost of these catastrophes is so great that retirees could quickly wipe out their \$200,000 in savings in order to cover costs.^{5 6}

Here's another idea to help safeguard your assets. Take the money out of your bank accounts, invest it for a potentially higher return (e.g. 5% from a federally and state tax exempt bond) and then use this extra income to get insurance for health care and long-term care insurance that could protect you in case of an emergency.

Municipal Bond 4.65%⁷ Income taxes 0.00 Consumer inflation 1.2% Net real return to you 3.45%

200,000 invested x 2.6% = 5,200 annually to pay for quality long-term care and health insurance (the premiums for these insurances may be tax deductible).

Investments in any security involve fluctuation and may result in a loss of your investment; while CDs are FDIC-insured, municipal bonds are not. Additionally, the purchase and sales of municipal bonds may incur commissions, and municipal bonds may not be as liquid as CDs. If sold prior to maturity, municipal bonds may return more or less than your original investment. Such bonds may not be appropriate for every investor, and you should only make investments appropriate for your circumstances.

When most people stop to think this through, they'll realize the following – they have money that they consider to be core capital. In fact, for many of us, our core capital is money that we intend to never spend. It is money that we keep working; money that we depend on to generate either interest or dividends.

Our core capital should be designed to outlive us. In fact, it's important for you to start thinking about your money in terms of it outliving you, not the other way around. You don't want to outlive your money. That makes for a very difficult existence. Your money should actually be invested for a period <u>longer than</u> your life expectancy. That's the only way it will outlive you, and that's the way it should be planned. Unless, of course, you think that you can time it perfectly to die when all of your money runs out. But I don't think your timing is that good.

So, your objective should be to have your core capital earn the highest possible rates with appropriate safety. By planning to have your money outlive you, you can make

⁵ Average annual cost of a private room in a nursing home US \$89,280 annually in 2012, with, Met Life Market **Survey of Long-Term Care Costs, October Nov 2012.**

⁶ Per American Association of Long Term Care the average length of a nursing home stay is 2.4 years http://www.prlog.org/11931514-length-of-nursing-home-stay-varies-according-to-long-term-careinsurance-expert.html

⁷ Average rate on AA rated 20 year municipal bonds, FMSbonds.com 1/6/14. Note that the interest on municipal bonds is free from federal income tax and likely also free from state income tax if the owner resides in the state of issuance. It is possible that such interest could be subject to AMT or taxable as ordinary income from private activity bonds.

sure that your money will be working and providing for you until the day you go to a better place. The last thing you want to worry about is money when you retire. The one way to improve your chances for a bright financial future is to start putting your money to work for you now.

When looking at bonds, consider investing in longer-term bonds to potentially increase your interest income. The objective for your core capital is to have it conservatively earn as high a rate as possible without taking undue risks.

Annuitization

If "annuitization" is a new term for you, you will be hearing it more and more. The idea is to use your principal to supplement your spending money – but do so in a way that the principal lasts as long as you do. Many people will have no choice but to use their principal to sustain themselves, and this is not a bad thing as long as it is done correctly. Since you can never be sure how long you'll last, the insurance industry provides some assistance with life annuities. You receive payments for as long as you live.

Here's how it works. In exchange for a single payment, the insurance company will immediately start making monthly payments to you. Part of these payments is considered income and part comes from your principal investment. These payments can last for a term of years or even for your lifetime if you so choose. Note that life annuity payments could incur premium taxes in some states. Maintenance expenses and contract fees charged by the insurance company could also reduce your payments – but when you get a quotation, it will be net of these expenses.

The amount of money you receive each month is dependent on several factors, including your estimated life expectancy, the amount of money you have invested, and the current interest rate being paid by the annuity company (which is locked in at the time of purchase). The payout will typically be higher the older you are because the insurance company does not expect to have to make payments as long as they would to a younger person. Assuming that you have chosen the lifetime payment option, your annuity company will continue to make payments to you even if you live past your normal life expectancy.⁸

If you die sooner, the insurance company keeps the balance of the annuity if you selected lifetime payments. You may also be able to elect to receive a lower payment in exchange for having the payments continued to your heirs until the entire amount of your original premium has been paid out.

For whom may a fixed immediate annuity be suitable?

• A retiree needing increased monthly cash-flow

⁸ Subject to the claims-paying ability of the insurance company, please note immediate annuities are designed to enhance cash flow and save taxes but are not the only investment vehicles by which these goals may be achieved. Immediate annuities cannot be surrendered for value. Always consider all possible investment options before you invest.

- A person with no heirs or who is not concerned about leaving an estate
- Someone who has set aside other funds to leave to heirs if they desire to leave an inheritance
- A retiree desiring the fixed payment and wanting to avoid maturities, rolling over investments, and the maintenance and administration required of investing on one's own

\$100,000 Premium, Male	
Age	Monthly
65	\$582
70	\$677
75	\$790

What can you expect to receive on an immediate annuity?

Life annuity payments, <u>www.immediateannuities.com</u> 1/6/14, average of 16 companies, Male, Florida. Please use the contact information at the back of this booklet for an exact quote.

Health Insurance

The health insurance scenario for retirees is scary. You read and hear a lot about Medicare running out of money and benefits being cut. Seniors have been asked to pay for more for their Medicare benefits. The good news is that through a better understanding of your options, you can secure some peace of mind knowing that you have selected appropriate health coverage.

No retiree should rely on Medicare alone. You must have supplemental coverage – as Medicare typically pays 80% of your heath care costs. That 20% that you must pay can be a very large sum if you have a serious illness.

The AARP conducted a study titled: An Assessment of Medicare Beneficiaries 'Understanding of the Differences between the Traditional Medicare Program and HMOs'. The findings⁹ indicated that only a fraction of the total beneficiary population (11%) had "adequate" knowledge to make an informed choice between HMOs and regular Medicare. Therefore, it is important that you understand how you can receive proper medical coverage.

Medicare offers different ways to get health care benefits. Once you understand what you get, you can then get the appropriate coverage for what Medicare does not provide. The Medicare coverage options depend on which plan you select. And based on where you live, you may have more than one plan to choose from (note that available plans can vary from zip code to zip code)!

⁹ <u>http://www.aarp.org/research/ppi/health-care/medicare/articles/aresearch-import-595-9805.html</u>.

There are two basic Medicare health plans:

- Medicare + Choice plans include Medicare Managed Care Plans and Medicare Private Fee-for-Service plans. These plans provide care under contract to Medicare. They may offer benefits such as coordination of care or reducing out-of-pocket expenses. Some include additional features, such as prescription drugs. The availability of plans varies among geographic areas. Many people loosely refer to all of these plans as "HMOs."
- The Original Medicare Plan (sometimes called fee-for-service) everyone with Medicare can join the Original Medicare Plan that is available nationwide. Many people in the Original Medicare Plan also have a Medigap (Medicare Supplemental Insurance) policy or supplemental coverage, provided by their former employer to help pay health care costs that this plan does not cover. This supplement is a separate policy which we will discuss shortly.

		Medicare Advantage	
	Original Medicare Plan	Managed Care Plan	Private Fee-for-Service Plan
Costs Total Out-of- Pocket Costs	High	Low to Medium	Medium to High
Extra Benefits In addition to Medicare covered benefits.	None	Most May offer prescription drugs, eye exams, hearing aids, or routine physical exams.	Some Possibly foreign travel or extra days in the hospital.
Doctor Choice	Widest Choose any doctor or specialist who accepts Medicare.	Some Usually must see a doctor or specialist who belongs in your plan.	Wide Choose any doctor or specialist who accepts the plan's payment.
Convenience	Varies Available nationwide.	Varies Available in some areas. May require less paperwork and have phone hotline for medical advice.	Varies Available in some areas. May require less paperwork and have phone hotline for medical advice.

Why Would Retirees Want Medigap Insurance As Opposed to an HMO Arrangement?

With a Managed Care Plan, you don't need to buy Medicare Supplemental (Medigap) insurance. This could result in several thousand dollars of savings each year. In fact, some Managed Care Plans may have no monthly premium at all.

There are potential repercussions, though, that could make you wish that you would have spent the additional money for the insurance and stuck with traditional Medicare.

The companies sponsoring a managed care plan might limit the number of doctors, hospitals, and other health care providers within the network. Also, they can abandon the Medicare benefits program if the insurance network finds it unprofitable. This could leave you with significantly higher out-of-pocket expenses, especially if your health has declined.

The government can create another problem if you are not happy with managed care. For instance, suppose you cancelled a Medigap policy to join a Managed Care Plan. Medicare could possibly penalize you if you decide that you don't like managed care and try to buy a new Medigap plan. Instead of having a choice of 10 plans, you might only be able to select from four. Consequently, your new policy might not be as good as the one you previously canceled.

Even though Medigap policies will not cover all the gaps in the Original Medicare Plan, they may help retirees:

- lower their out-of-pocket costs, and
- get more health insurance coverage.

Some examples of Gaps in Medicare covered services.	Amount Clients will Pay in 2014	A Medigap Policy May Help Pay These Costs
Hospital Stays	 \$1,216 for the first 60 days \$304 per day for days 61 - 90 \$608 per day for days 91 - 150 	Yes
Skilled Nursing Facility Stays	> Up to \$152 per day for days 21 - 100	Yes
Blood	> Cost of the first three pints	Yes
Medicare Part B yearly deductible	> \$147 per year	Yes
Medicare Part B covered services	 > 20% of Medicare-approved amount for most covered services > 50% of the Medicare-approved amount for outpatient mental health treatment* > Co-payment for outpatient hospital services 	Yes

*All Medigap policies must pay 50% coinsurance for outpatient mental health treatment services. Source: Centers for Medicare and Medicaid Services http://www.medicare.gov

Note: Some Medigap policies also cover other extra benefits that are not covered by Medicare. Examples include:

- Routine yearly check-ups.
- At-home recovery.
- Medicare Part B excess charges (the difference between the doctor's charge and Medicare's approved amount). The excess charge only applies if the doctor does not accept the assignment.
- Prescription drugs.

Maintain Your Independence

Statistics indicate that over half of all people over age 50 will require long-term care. In fact, the most current research statistics are below: 10

- a 50-year-old has a 53% to 59% chance of ever entering a nursing home before he dies and that conditional on any stay, the average duration is just over a year.
- females face a 64.9% probability of having at least one stay, compared to 49.8% for males
- 24% of those that enter a nursing home will need 3+ years of care¹¹

With such a great risk, doesn't everyone need insurance? After all, the cost of long-term care can run \$7,440 or more monthly in some locations.¹² So if you have an extra \$200,000 to \$300,000 to pay for long-term care, you can self insure and just pay out-of-pocket in case of mental or physical incapacity.

But if you want to remain in your home, get quality in home care and do not have plenty of excess funds, then you want insurance.

How to Leave Assets to the Heirs

This whole arena of asset protection would be incomplete if I didn't include a small section devoted to estate planning. Many people not only want to protect their assets for themselves, but also for their heirs. If you do not plan ahead, it's easy to watch estate taxes and poor planning rip away the value of your estate.

¹⁰ National Bureau of Economic Research June 2013 http://www.nber.org/chapters/c12970.pdf

 ¹¹ American Association of Long Term Care Insurance 2008 Sourcbook http://www.aaltci.org/long-term-care-insurance/learning-center/probability-long-term-care.php
 ¹² Average daily rate for a private room is almost \$90,000 annually. Average daily rate survey of all 50

¹² Average daily rate for a private room is almost \$90,000 annually. Average daily rate survey of all 50 states and the District of Columbia. MetLife Market Survey of Nursing Home and Home Care Costs, November 2012.

First, let me mention a big mistake I see most retirees make regarding estate planning. Many times, I see a single retired individual who makes an investment. Then he or she puts the name of his or her son or daughter on it as a joint tenant because he or she knows that when he or she passes away, his or her son or daughter will then inherit that asset automatically. This is true.

However, such superfluous estate planning can lead to a very severe problem. If that son, for example, happens to be a physician and gets sued for malpractice and the son's assets get attached, legally, the son appears to own half of your investment because your son's name is on it.

As a result, your son's creditors could attach that money, which is yours. So, you may not want to expose your assets in that way, and I strongly advise that you don't. Instead, you probably want to own the investment in just your name, passing it by will, or have a living trust created so that the name of your trust is on the assets at all times. In this way, you don't have exposure to the creditors of your sons or daughters, and everything is well protected. Additionally, with living trusts you also avoid probate for very quick and immediate transfer to your heirs.

There are some basics that you need to understand about estate planning. Currently, every individual is allowed to pass 5.34 million of assets to his or her beneficiaries without gift or estate tax (as of 1/1/14)¹³. Be aware that tax laws, exclusions and estate exemptions are subject to change.

Now, there's another great mistake that a lot of married retirees make. Say the husband has a will and he leaves everything to his wife. The wife has a will and she leaves everything to her husband. Here's the problem that maybe you've never been told before. Each of us has \$5.34 million exclusion on passing along assets to our heirs, or we can leave our exclusion to our spouse. The most important word in that sentence was "or," because if you leave your assets to your spouse, you've lost your exclusion.

Generally, when an attorney draws up a living trust or will for you, what happens is that he or she segregates the exclusion amount of assets directly to your heirs, not to your spouse, so that you, in fact, get the full benefit of your exclusion. This way, if you're married, you get the exclusion of \$5.34 million, your spouse gets \$5.34 million, and a married couple can pass a \$ 10.68 million estate to their heirs with no estate taxes. That's exactly what you want to do. For people whose estates are larger, you definitely want to consider the idea of using some type of insurance to pay your estate taxes.

Let me give you an example and note that this is a hypothetical example that does not reflect any particular products. Let's say you and your spouse have the fortunate situation of a \$12 million estate. Now, that may not be the current value of your estate, but you've got to remember, if you're 65 years old now, it's very likely that one or both

¹³ IRS <u>http://www.irs.gov/Businesses/Small-Businesses-&-Self-Employed/Estate-Tax October 20, 2014</u>

of you might live to age 85 or even longer.¹⁴ So, the question is, not what is your estate worth today, but what will it be worth in 20 years?

But let's say you have the terrible misfortune of an early death. In that case, the first \$10.68 million is not going to be subject to estate tax, but the other \$1.32 million will, and unfortunately, the estate taxes are very high. On \$1.32 million, you'd pay \$528,000, for estate taxes.

Total estate	\$12.00 million
Potential exemption from tax	\$10.68 million
Taxable estate	\$1.32 million
Estate tax due	\$528,000 ¹⁵

Who pays that? Actually your heirs do. It comes right out of their inheritance. So, how do you protect it? It may be very useful to invest in an insurance policy for you and your spouse in the amount of \$528,000. What specifically would you do?

The first step is for you to get a quote on what it would cost you to buy an insurance policy for \$528,000. Let's just assume that would cost you \$15,454 a year.¹⁶ You would have to deposit that in premiums each year.

Now, before you shudder, "That's ridiculous," remember you're going to be saving \$528,000. So let's just see if you can, in fact, pay your estate taxes for a heck of a lot less than \$528,000.

Let's say you can go out and get an insurance policy for yourself. The annual premium is \$15,454 a year. What you do is take \$15,454 a year and you gift it to your children, or you can use an irrevocable life insurance trust. (Preparation of trusts can incur significant expenses). The gift helps you reduce the size of your estate and in itself reduces your estate taxes.

Your children then pay the premium on the insurance policy so that your children actually own the insurance policy. It is critical that your children or someone other than you and your spouse own the insurance policy. (In fact, if you have life insurance policies right now that you own, please see your attorney, financial advisor or insurance agent, or contact us right away about why these policies must be owned outside of your estate.)

¹⁴ IRS publication 590 <u>http://www.irs.gov/publications/p590/ar02.html</u> shows a 26 year life expectancy for a couple both age 65

¹⁵ IRS Instructions for form 709, 2014 www.irs.gov/pub/irs-pdf/i706.pdf

¹⁶ Protective Life Insurance Company

Custom Choice UL 100 - To Age 100 9/23/13, Florida Male, Preferred Plus., annual premium \$15,454. Note that the purchase of life insurance incurs charges and commissions and potential surrender charges. Not everyone is insurable and actual costs will depend on several factors including health.

When you have passed away and the IRS comes knocking for \$528,000 in estate taxes, the children merely take the \$528,000 they've received from the life insurance company, turn around and pay the IRS and the entire \$12 million estate passes to them unencumbered by estate taxes and any other liens or taxes. What were the premiums to the insurance company? Approximately \$324,534 (\$15,454 annually for 21 years, the life expectancy of a 65-year-old). However, the premiums in your situation could be higher or lower depending upon your age, your health, the company that places the policy, future interest rates, and your actual longevity.

So, that's the way to pass a sizeable estate to your heirs and avoid as much estate tax as possible. You can do this by doing what the wealthy do - using life insurance to pay the taxes.

Instead of paying almost \$528,000 out of pocket, you have paid \$324,534 for insurance premiums. A savings that is hard to beat! Remember, the figures will vary in each situation, and this is a realistic but hypothetical example of how to use insurance to pay estate taxes.

Even if you have a modest estate and estate taxes are not a concern, there are several other planning concerns involving wills and trusts, medical wills, living wills, and directives for health care and powers of attorney. Please contact us for a complete review of your financial situation so you can make the best possible decisions concerning your retirement planning and wealth preservation strategies.

About

Phone today with questions or to see if we can help you. There is no charge for an initial meeting.

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