21st Annual Changes and Trends Affecting Special Needs Trusts
February 6-7, 2025 • DoubleTree by Hilton Hotel Austin • Austin, TX

Thursday Morning, Feb. 6, 2025

Presiding Officer:
Bryn A. Poland, Mayo & Poland PLLC - Baytown, TX

8:00 am	**Registration and Exhibit Hall Opens** Includes continental breakfast.
8:35 am	**Welcoming Remarks**
8:45 am 1.00 hr	**Special Needs Trusts 101: The Basics** An overview of the basics of special needs trusts and public benefits including selection of appropriate trust option, pitfalls to avoid and case examples. Molly Dear Abshire, Wright Abshire Attorneys, P.C. - Bellaire, TX
9:45 am 0.75 hr	**Case Law Update** A review of recent cases from around the country impacting special needs trusts, trustees and trust beneficiaries. Elisa Dillard Rainey, Rainey & Rainey, Attorneys at Law PLLC - Waco, TX
10:30 am	**15-Minute Break**
10:45 am 1.00 hr 0.25 hr ethics	**Maximizing Public Benefits** Discuss how to identify what benefits your client has; what additional benefits they may be eligible for; what distributions by a trustee (or anyone) will make them ineligible; and what distributions will keep them eligible for those benefits. H. Clyde Farrell, Farrell & Johnson PLLC - Austin, TX Christina Lesher, The Law Office of Christina Lesher, PC - Houston, TX
11:45 am 0.50 hr	**Basics of Tax and SNTs with a CPA**
12:15 pm	**Pick Up Lunch** Included in registration.

Thursday Afternoon, Feb. 6, 2025

LUNCHEON PRESENTATION

12:45 pm 0.75 hr 0.25 hr ethics	**Issue Spotting: Case Management and Advocacy** In the early days of special needs planning, "supplemental" needs trusts were intended to do just that: provide funds for quality of life enhancements for a person whose primary needs would be met by a well-funded system of supports. Today, at a time when parents and caregivers are aging and dying, and where Medicaid funded programs are a shell of what they used to be, funds left in trust for a person with a disability will often serve as a primary source of long term support. This presentation highlights the benefits of case management and advocacy services in identifying and addressing the challenges faced by a trustee managing funds in a discretionary trust for a disabled beneficiary whose formal and informal support networks are changing. Michael S. Cognetti, Wilcenski & Pleat PLLC and Adirondack Case Management & Advocacy LLC - Clifton Park, NY
1:30 pm	**15-Minute Break**
1:45 pm 0.50 hr	**ABLE Updates** Learn about the tax-advantaged Texas Achieving a Better Life Experience Program (Texas ABLE®), a disability savings program created specifically for Texans with qualifying disabilities. This session takes a deeper dive into all things Texas ABLE—from how to open and manage a Texas ABLE account to discovering ways eligible individuals with disabilities and their families are using the accounts, all while helping to preserve state and federal means-tested benefits, including SSI and Medicaid. The session also highlights upcoming legislative changes including the Age Adjustment Act and its impact on program eligibility. Vanessa Goodson, Texas Comptroller of Public Accounts - Austin, TX Anna Mallett, Texas Comptroller of Public Accounts - Austin, TX
2:15 pm 0.75 hr	**A View from HHSC** Gain insight on the topic of the termination of the special needs trust when a beneficiary passes away and there is a Medicaid lien owed. Hear the basics of the requirements of the Medicaid pay-back provision, how to contact the Texas Health and Human Services Commission (HHSC) to verify the Medicaid lien and obtain the lien payoff, and the process of settling the lien with the agency. Leslea Pickle, Texas Department of Health and Human Services - Austin, TX
3:00 pm	**15-Minute Break**
3:15 pm 0.50 hr	**Sole Benefit Trusts: What, When, and Why** Focus on the uses of Sole Benefit Trusts, including distinguishing them from other types of special needs trusts. It will include practical application, hypothetical situations, and sample language. Jennifer L. Coulter, Townsend Allala, Coulter & Kludt, PLLC - El Paso, TX
3:45 pm 0.75 hr 0.25 hr ethics	**Housing and SNTs** Panelists: Anna M. Méndez, Cadence Bank - Austin, TX Margaret Svoboda, American National Bank of Texas - Rockwall, TX

4:30 pm 0.50 hr	**HOTMA** This presentation covers recent changes to HUD housing programs that impact how income and assets are calculated for families. Learn about the new law and analyze the key updates to better inform your clients. Additionally, the session provides guidance on recertifying tenant income to ensure compliance with the updated regulations and current creative housing trends such as the use of Accessory Dwelling Units. Annette M. Hines, Special Needs Law Group of Massachusetts, PC - Framingham, MA
5:00 pm	**Adjourn to Reception (5:00 p.m. - 6:00 p.m. CT)** Join program faculty and attendees for drinks and hors d'oeuvres.

Friday Morning, Feb. 7, 2025

8:00 am	**Conference Room and Exhibit Hall Opens** Includes continental breakfast.
8:30 am 0.75 hr 0.25 hr ethics	**Tax Updates and Secure Act**
9:15 am 0.75 hr ethics	**Ethics Session**
10:00 am	**15-Minute Break**
10:15 am 1.00 hr	**SSA Regional Trust Leads Presentation Regarding SSI Trusts** The centralization of SSI trust reviews business process celebrated its 10-year anniversary in 2024. This session provides a look back, including improved quality, accurate and consistent trust determinations, and technical proficiency of employees. In addition, hear the latest regarding the legal opinion process, early termination, 90-day amendment period, and updates to the trust POMS. Amanda Flood, U.S. Social Security Administration - Dallas, TX Dana Marquez, U.S. Social Security Administration - Dallas, TX
11:15 am 0.75 hr 0.50 hr ethics	**Standards and Best Practices for Pooled Trusts** This presentation unpacks the case study of The Center for Special Needs Trusts Administration to better understand what happened and explores the deviations from best practices in pooled trust administration. Also, discuss safeguards for beneficiaries with disabilities, standards for trust administration, and what checkpoints to look for in a pooled trust’s operations. Stephen W. Dale, The Dale Law Firm, PC - Pacheco, CA Haley D. Greer, The Arc of Texas - Austin, TX John B. Henry III, Law Office of John B. Henry, III, PLLC - Bellaire, TX Peter J. Wall, True Link Financial - Denver, CO

12:00 pm 0.50 hr 0.25 hr ethics	**The Logistics of Resigning and Transferring a Trust to New Trustee** Changing trustees can be easy or complex, depending on the type of trust, the assets of the trust estate, and a variety of other factors. Discuss the process for changing trustees, as well as potential obstacles, risks, and pitfalls that could be faced. Scott Stebler, Stebler & Sulak, PLLC - Austin, TX
12:30 pm	**Pick Up Lunch** Included in registration.

Friday Afternoon, Feb. 7, 2025

Presiding Officer:
Regan S. Seliger, Austin Trust Company - Austin, TX

LUNCHEON PRESENTATION

1:00 pm 0.50 hr 0.25 hr ethics	**The 100-Year Special Needs Plan** Most special needs trusts will be depleted long before the end of a beneficiary's life. To protect a child with disabilities for life, a plan may need to consider a full 100 years. To protect an adult, a plan may need to consider 50 years or more. This session highlights projections, distribution plans, changes in circumstances, age-based changes, trustee continuity, administration costs, and funding (not wasting a penny). Renée C. Lovelace, The Lovelace Law Firm, P.C. - Austin, TX

1:30 pm	**30-Minute Break and Exhibitor Announcements**
2:00 pm 0.75 hr 0.25 hr ethics	**Don't Modify that Trust: Reform It! When and How to Reform a Trust that Needs to be an SNT** Address the basic requirements for special needs trusts, common errors in drafting, the requirements for reforming a trust versus modifying a trust, and the benefits for reformations. David F. Johnson, Winstead PC - Fort Worth, TX
2:45 pm 0.75 hr 0.25 hr ethics	**Medicare Primer Including Recent Changes to Part D** A review of the Medicare Program Part A, Part B, Part C, and Part D including recent changes in Part D. Pi-Yi Mayo, Mayo & Poland PLLC - Baytown, TX
3:30 pm 0.75 hr 0.25 hr ethics	**Let's Not Fight – Drafting to Avoid Litigation** Explore drafting strategies to prevent litigation. A drafting attorney and a litigation attorney deliberate the right words, communications, and approaches to provide clear legal drafting, forestall conflicting interpretations and avoid future disputes. Angela Odensky, The Law Office of Angela Odensky, PLLC - Bellaire, TX Erin W. Peirce, Leu, Peirce, & Olson, PLLC - Plano, TX

4:15 pm	**Adjourn**