

2019 Changes and Trends Affecting Special Needs Trusts

February 7-8, 2019
Austin, Texas

SNT Practitioner and ABLE Programs: Working Together

Moderator:

Tresi Weeks, The Weeks Law Firm, PLLC, Plano, TX

Panelists:

Stephen W. Dale - The Dale Law Firm, PC, Pacheco, CA

Linda Fernandez - Texas ABLE Program, Texas Comptroller's Office, Austin, TX

Doug Jackson - STABLE Accounts, Ohio Treasurer's Office, Columbus, OH

WHAT IS **ABLE**?

- **Achieving a Better Life Experience**
- **Federal ABLE Act: 529A of IRC enacted December, 2014**
- **Administered by states**
- **Texas ABLE Act**
- **U.S. Dept. of Treasury developing regulations to guide states in administration**

3

WHAT IS **ABLE**?

- **Allows individual with disabilities to save up to \$100K without counting as a resource for SSI/Medicaid purposes**
- **Distributions for Qualified Disability Expenses not income for SSI/Medicaid purposes**
- **Medicaid Payback**

4

WHAT IS **ABLE**?

Eligibility:

- **Established for person disabled/blind prior to age 26**
 - **Receiving SSI/Medicaid or SSDI; or**
 - **Self-attestation, supporting documentation; or**
 - **SSA's "List of Compassionate Allowances Conditions"**

5

WHAT IS **ABLE**?

Creation of Account:

- **Opened by individual w/disability, parent, guardian or POA agent**
- **Beneficiary is owner (regardless of signatory authority)**
- **Limit one account per beneficiary**
- **Anyone can contribute**

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](http://utcle.org/elibrary)

Title search: SNT Practitioner and ABLE Programs: Working Together

Also available as part of the eCourse

[Hot Topics in Special Needs Trusts: Pooled Trusts, ABLE Programs, and more](#)

First appeared as part of the conference materials for the
15th Annual Changes and Trends Affecting Special Needs Trusts session
"SNT Practitioner and ABLE Programs: Working Together"