

# 2019 Changes and Trends Affecting Special Needs Trusts

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Austin, Texas**

## SNT Practitioner and ABLE Programs: Working Together

**Moderator:**

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# 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**

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# 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**

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# 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"**

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# 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**

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