

# What Every Estate Planner Needs to Know About Pooled Special Needs Trusts

*Presented by Joanne Marcus, MSW and Karen Dunivan Konvicka, J.D.  
Commonwealth Community Trust (CCT)*



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## Joanne Marcus, MSW

Joanne Marcus has served as President/CEO of Commonwealth Community Trust (CCT) for 21 years. Under her leadership the agency has grown to provide trust administration services to over 2,000 beneficiaries throughout the United States. Ms. Marcus is frequently asked to speak to professional groups and community organizations nationwide.

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## Karen Dunivan Konvicka, J.D.

Karen Dunivan Konvicka serves as Director of Client Services and General Counsel for Commonwealth Community Trust (CCT). When in private practice, Ms. Konvicka specialized in public benefits law and estate and trust planning and administration for individuals with special needs. Ms. Konvicka maintains her memberships in the Virginia State Bar, National Academy of Elder Law Attorneys (NAELA), and the Virginia Academy of Elder Law Attorneys (VAELA) and enjoys continuing to educate attorneys and families about special needs planning from the pooled trust perspective.



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## NOTE

*Texas law and regulations  
may differ.*

## \*NOTE\*

Content throughout this presentation is based on federal law and where applicable notes that some state law may differ.

Some terminology may not conform to the laws, regulations, and practices of Texas.



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## Public Benefits –

*For the Aged, Blind  
and Disabled*

### ***Categorically Eligible for Medicaid***

- Typically receiving means-tested income benefits
- Cap on resources and income
- Traditional Medicaid

### ***Medically Needy for Medicaid***

- Typically not receiving means-tested income benefits
- Cap on resources, but income can be “spent down” on an ongoing basis
- Usually Medicaid Long Term Care

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## Elder Law Planning

Public benefits for the *Medically Needy*:

*Typically  
Medicaid  
Long-term  
Care*



*Most often  
not eligible for  
income  
benefits*



*Must spend-  
down income  
to qualify for  
Medicaid*



*Planning  
opportunities  
surround  
resources*

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## Title search: What Every Estate Planner Needs to Know About Pooled Trusts

Also available as part of the eCourse

[What Every Estate Planner Needs to Know About Pooled Trusts](#)

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