

# Pooled Trusts

## A Creative Solution for Thorny Problems



The Arc of Texas  
MASTER POOLED *trust*

EMPOWERED > INFORMED > INCLUDED >

Keep Calm and use a Pooled Trust!



EMPOWERED > INFORMED > INCLUDED >

## What is a Pooled Trust ?

- Pooled Trusts- 42 USC 1396p(d)(4)(C)
  - Beneficiaries are individuals who are disabled as defined in the Social Security Act 1614(a)(3)
  - Established and Managed by a Non-Profit
  - Sub-Account: Separate accounts for each beneficiary but the funds may be pooled for investment purposes

## What is a Pooled Trust ?

- Pooled Trusts- 42 USC 1396p(d)(4)(C)
  - Sole Benefit: Established solely for the benefit of individuals who are disabled by the parent, grandparent, or legal guardian of such individuals, by such individuals, or by a court
  - Medicaid Payback: Remaining funds upon the death of the beneficiary that are not retained by the trust, must be used to repay the State

# Pooled Trust Options

- First Party or Self-settled
  - The Arc MPT Trust II and IV
- Third Party
  - The Arc MPT Trust I and II



## Pooled Trusts in Texas

- <https://www.specialneedsalliance.org/pooled-trust-directory/#texas>
  - The Arc of Texas Master Pooled Trust
  - Commonwealth Community Trust
  - National Foundation for Special Needs Integrity
- Not included but pooled trusts that serve Texans
  - Legacy Enhancement
  - The Center for Special Needs Trust Administration

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 \(utcle.org/elibrary\)](https://utcle.org/elibrary)

## Title search: Pooled Trusts: A Creative Solution for Thorny Problems

Also available as part of the eCourse

[2019 Special Needs Trusts eConference](#)

First appeared as part of the conference materials for the  
15<sup>th</sup> Annual Changes and Trends Affecting Special Needs Trusts session  
"Pooled Trusts: A Creative Solution for Thorny Problems"