

Quality of Care and Choices for Persons with Disabilities

PRESENTED BY

CELA

Courtney Elder Law Associates


Elder Law • Special Needs Planning • Estate Planning

FRASCOGNA COURTNEY, PLLC

PERSONS WITH DISABILITIES

- Need basics: food, clothing, shelter
- Need fun and enjoyment of life –
Recreation, travel, entertainment
- Need care and assistance with ADLs

FUNDING PROBLEMS

- Limited household income
 - Shortage of financial assets
 - Fractured families – single parent homes
 - Insufficient public benefits (SSI, Medicaid cuts)
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OUR PERSONAL EXPERIENCE

Daughter (42) with cerebral palsy (Melanie)
Twin sister with no disability (Melissa)

“Girls just want to have fun!” Cindy Lauper

Melissa – tennis, basketball, cross-country

Melanie – wheelchair tennis, adaptive water skiing, ballet



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HOW TO PAY - OPTIONS

- Private Pay – family, disabled person's income
 - but reduction of SSI if others pay food/shelter
 - ABLE account may avoid ISM reduction
- Gifts, bequests, death benefits to disabled person
 - may terminate SSI, Medicaid until spent
- Special Needs Trust can fund needs, protect public benefits

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FUNDING SPECIAL NEEDS TRUSTS

THIRD PARTY TRUST

- Gifts from family, others
- Fund-raisers
- Bequests in wills and living trusts
- Life insurance
- Retirement accounts (as beneficiary)

SELF-SETTLED TRUST

- Litigation settlement (lump sum, structured annuities)
- Inheritance
- Life insurance benefit
- Personal assets
- Guardianship/conservatorship assets

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[2022 Special Needs Trusts eConference](#)

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