

19th Annual Changes and Trends Affecting Special Needs Trusts

SSA Regional Trust Leads Presentation
Regarding SSI Trusts

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Objectives (1/2)

- ▶ Provide starting point for d4A and d4C trusts & SSI eligibility
- ▶ List applicable Program Operations Manual System (POMS) references
- ▶ Review SSI eligibility requirements for d4A trusts
- ▶ Review SSI eligibility requirements for d4C trusts

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Objectives (2/2)

- ▶ Share recent POMS updates*
- ▶ Provide update on number of trust cases SSA reviews
- ▶ Q&A Session (if time permits)

Disclaimer

- ▶ This presentation discusses general SSI trust policy and procedures.
- ▶ Specific cases involving an SSI claim or post-eligibility event require initial evaluation by the servicing field office technician and subsequent evaluation by the regional trust reviewer team and when applicable, an evaluation by the Office of the General Counsel.

Objective 1 - Provide Starting Point for (d)(4)(A) and (d)(4)(C) Trusts & SSI Eligibility

- ▶ Social Security Act
- ▶ Title XIX – Grants to States for Medical Assistance Programs
- ▶ Section 1917 – Liens, adjustments and recoveries, and transfer of assets
- ▶ D4A and D4C sets forth exceptions

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(d)(4)(A) – Special Needs Trust

- ▶ Contains the assets of an individual under age 65 who is disabled
- ▶ Established for the benefit of such individual
- ▶ By the individual*, a parent, grandparent, legal guardian, or a court
- ▶ State will receive all amount remaining upon the death of individual up to an amount equal to the total medical assistance paid

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