



Trustee
of the
Wesley Vinner Memorial Trust
&
The 3rd Party Community Trust

Yolanda Mazyck, Exec. Dir.

202-448-1460

ymazyck@shared-horizons.org

WHY PLAN?

1. To protect means-tested public benefits
 - Supplemental Security Income (SSI)
 - Medicaid (Waiver)
 - HUD: Subsidized Housing
2. To ensure your loved one can continue the lifestyle to which they are accustomed – **QUALITY OF LIFE.**
3. To avoid Probate
4. **FOR PEACE OF MIND**





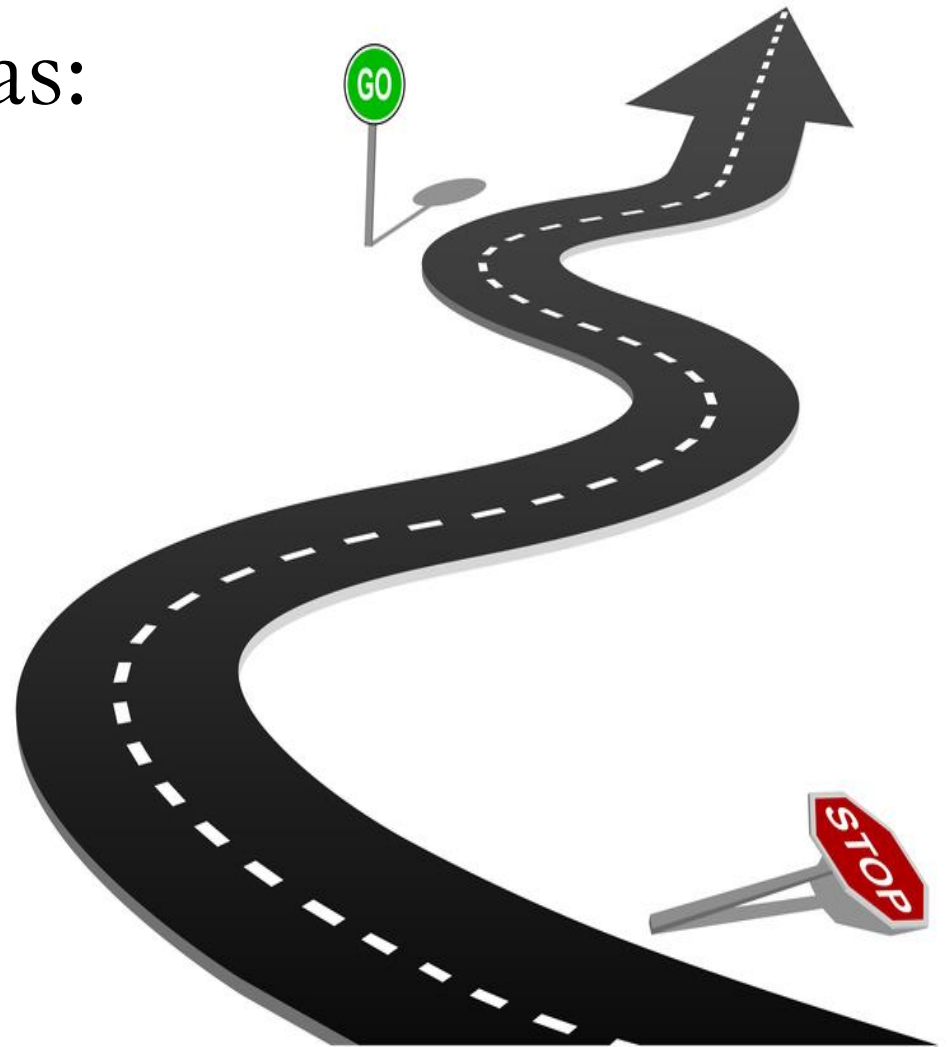
Estate Planning 101

■ Three Focus Areas:

□ PEOPLE

□ PAPER

□ MONEY

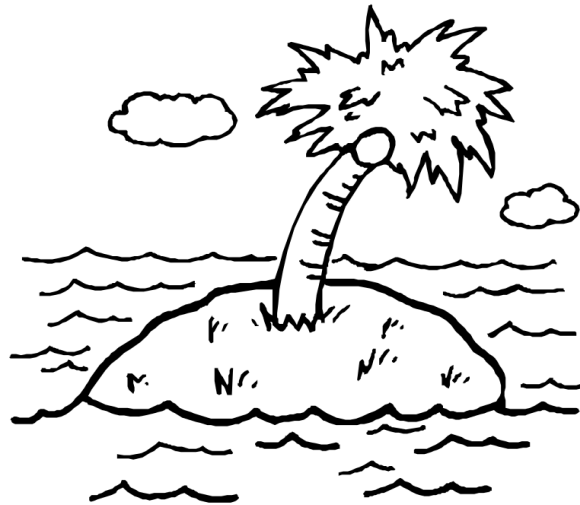


Estate Planning 101

PEOPLE

Develop a support/learning network/community.

- Connect with groups
- Reach out to family & friends
- Continue to attend conferences and workshops



Estate Planning 101

PAPER

Secure an attorney—they will help you:

1. organize your documents
2. create a will
3. process everything from beginning to end



Estate Planning 101

FINANCIAL

- Review *ALL* of your assets:
 - Cash Accounts
 - Insurance Policies
 - Property
- Seek advice from a financial/estate planning professional
- Establish a 3rd Party Special Needs Trust
 - **Pooled**
 - Individual

Omnibus Budget Reconciliation Act of 1993

OBRA '93

In the Omnibus Budget Reconciliation Act of 1993 (OBRA '93), Congress created three exceptions to the general rule that an individual's assets held in trust are counted as resources when determining eligibility for Medicaid:

- special needs trust (SNT)
- the disability income trust
- **POOLED TRUST(s)**
 - The Wesley Vinner Memorial Trust
 - Shared Horizons' 3rd Party Community Trust

OUR MISSION

To help people with disabilities and their families access an affordable Special Needs Trust Option that will protect their benefits while preserving their personal finances.

Our Purpose is to:

PROTECT

Public Benefits

PROVIDE

Goods & Services

PRESERVE

Assets/Funds

OBRA '93 Requirements for a Pooled Trust:

- The pooled trust is established and managed by a 501(c)(3)
- The trust is irrevocable
- Separate accounts are maintained for each beneficiary, but assets are pooled for investing and management purposes;
- Accounts are established solely for the benefit of the disabled individual;
- The account in the trust is established by the individual, a parent, grandparent, legal guardian, conservator, or a court; and
- The trust provides that funds remaining in the beneficiary's account upon their death, that are not retained by the trust, the trust will pay to the State the amount remaining up to an amount equal to the total amount of medical assistance paid on behalf of the beneficiary under a State Medicaid plan.

What do you mean by Pooled Special Needs Trust?

- One Master Trust Document – drafted by an attorney
 - Joinder Agreement establishes a sub-account for each beneficiary
- Funds are POOLED for investment purposes
 - Bigger pot
 - Better products
 - Potentially greater overall return
- Usually less expensive to create & maintain

How It works?

- **Funds are pooled for investment purposes only**
 - Sub-accounts are managed for each beneficiary
- **A Quality of Life Plan is developed** by a Personal Support Facilitator through Quality Trust
- **Person-Centered Trust Management**
 - Considerations when reviewing requests:
 - Beneficiary's Quality of Life
 - Benefits
 - Account balance, beneficiary budget & cost
 - No harm (person or benefits)

Role of Trust Administrator

Establish relationship
with beneficiary &
support team

Confirm status of
benefits

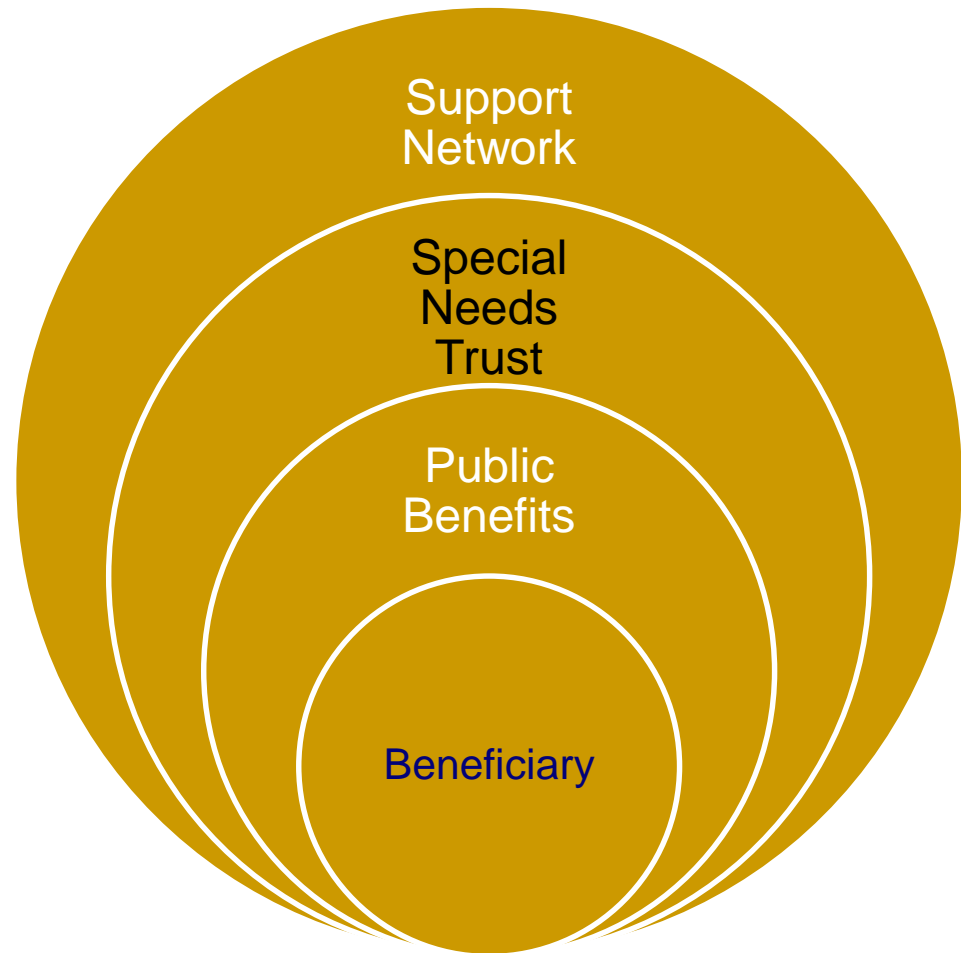
Identify needs

Develop plan with
budget

Review, research &
approve requests

Ongoing benefits
education

**OTHER DUTIES AS
REQUIRED**



What is the Role of the Representative?

The representative acts as a liaison between the beneficiary and the Trust.

They...

- ❑ have an established, ongoing relationship with the beneficiary
- ❑ make requests on behalf of the beneficiary
- ❑ may research requested items
- ❑ meet with the beneficiary and trustee as needed

A request must be made by a representative before the Trust will disburse funds

What can you purchase with Trust funds?

Clothes

Personal Bills

Recreational Activities

Electronics

Assistive Technology

Classes/Training

Vacations

Dental Expenses

Entertainment

Athletic Training

Attendants

Computers...

The Trust must not supplant Social Security and Medicaid benefits, nor is it intended to supplant a parents duty to support their minor child

What IS the difference between SNTs & ABLE:

SPECIAL NEEDS TRUST (SNT)	ABLE ACCOUNTS
No annual or lifetime deposit limit	\$15K Annual / \$100K maximum
Significant trustee oversight of funds & distributions	The beneficiary controls the funds – can spend as desired.
Cannot distribute for basic housing without causing a reduction in SSI	Can be used to off-set basic housing
No Medicaid payback for 3 rd Party Trusts upon death should funds remain	There IS a Medicaid payback after death
Income earnings are taxed	Income earnings are NOT taxed
More costly to administer	Less costly to administer

Many families will use both account types when developing their estate plan. **WHY?**

Because the SNT has no maximum limit, larger amounts can be deposited and the SNT can feed the ABLE up to \$15K/year.

SNT & ABLE working in tandem to enhance a person's quality of life.

THIS IS THE BEST OF BOTH WORLDS!