



**TEXAS**  
Health and Human  
Services

**Texas Department of State  
Health Services**

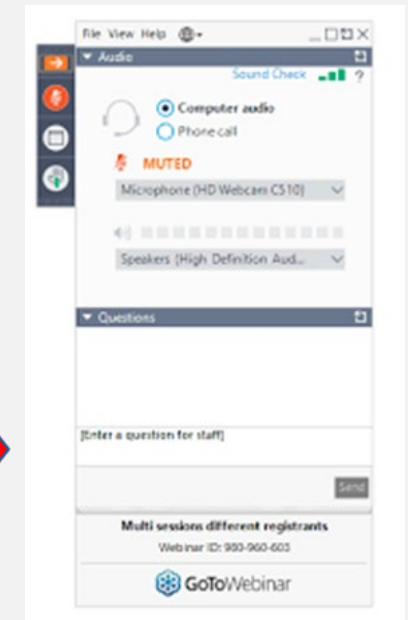
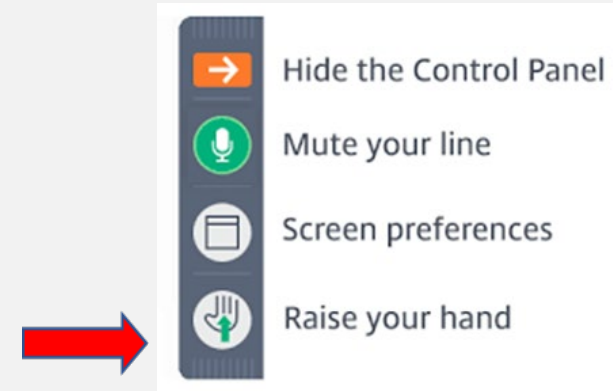
# Transition to Adulthood Learning Collaborative

Fiscal Year (FY)23, Quarter 3

May 3, 2023

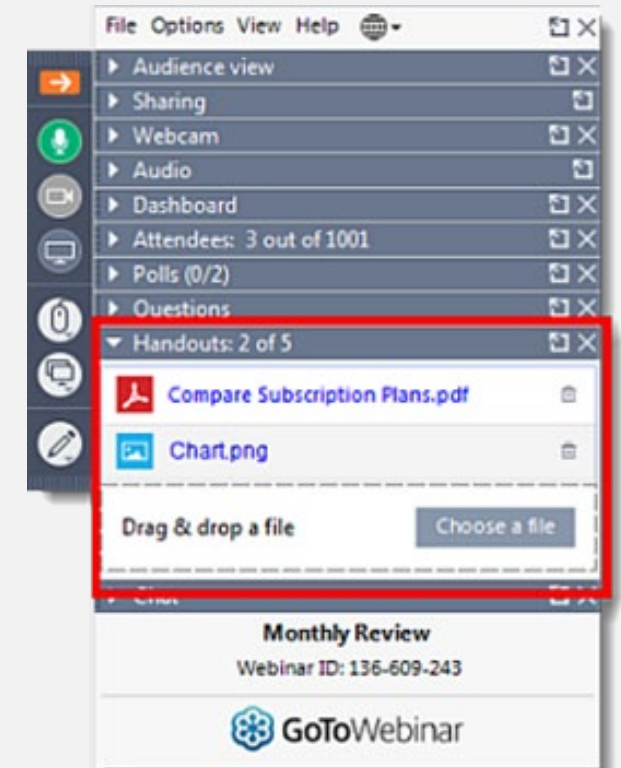
# Housekeeping (1 of 2)

- All lines are in listen only mode
  - To speak, **click the raise hand icon** and the organizer will unmute your line
- If your computer does not have a mic, please use the phone for audio
  - Dial audio pin to enable audio
- Use the Question box to:
  - Communicate with organizers
  - Ask the speaker a question
  - Get help with technical difficulties
- Today's call will be recorded



# Housekeeping (2 of 2)

- The agenda and slides are available in the Handouts section.
- Look for the Handouts pane in the Control Panel.
- Today's call will be recorded.



# Join our Learning Collaborative!

To join our Transition to Adulthood Learning Collaborative (TALC) and receive future meeting invitations, please email Ivy Goldstein at [Ivy.Goldstein@dshs.texas.gov](mailto:Ivy.Goldstein@dshs.texas.gov).

# Agenda

1. Welcome
2. Presentation - *Tying It All Together: The Many Aspects of Future Planning*
3. Upcoming Events
4. What's New - Resources and Publications
5. TALC Member Updates
6. Adjourn

# Tying It All Together: The Many Aspects of Future Planning

Haley Greer, JD

Director of the Master Pooled Trust at the Arc of Texas



TEXAS  
Health and Human  
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Health Services

**TYING IT ALL TOGETHER**

***The Many Aspects of  
Future Planning***

Haley D. Greer, JD

Director, Master Pooled Trust



# Things we will talk about today

Supplemental Needs Trusts (SNTs)



```
graph TD; A[Supplemental Needs Trusts (SNTs)] --> B[Master Pooled Trust]; B --> C[ABLE Accounts]; C --> D[Cash Benefits (SSI, SSDI, DAC, CDB)]; D --> E[Letters of Intent];
```

Master Pooled Trust

ABLE Accounts

Cash Benefits (SSI, SSDI, DAC, CDB)

Letters of Intent

Medicaid

HCS

CLASS

STAR+Plus

DBMD

STAR KIDS

TxHML

SSI

QMB

SLMB

QI

YES

A Supplemental Needs Trust (SNT) is a specialy drafted trust that allows an individual with a disability to retain assets while still keeping means tested benefits.




An SNT's superpower is the ability to make assets "invisible" for Medicaid or SSI purposes.

INVISIBILITY



# Means Tested Benefits

Generally, a person CAN NOT have more than \$2,000 in countable ASSETS and remain eligible for many means tested benefits like SSI and Medicaid.

 <b>Your Texas Benefits</b> Health and Human Services Commission		Medicaid Program Name
<b>Medicaid ID Card</b>		Medical plan / Plan médico
Member name: <b>John Doe</b>		<b>Plan name / Nombre del plan</b> 1-800-###-####
Member ID (Medicaid ID): <b>123456789</b>		Dental plan / Plan dental
Issuer ID: (80840) <b>XXXXXXXXXX</b>	Date card sent: <b>03/01/2012</b>	<b>Plan name / Nombre del plan</b> 1-800-###-####
RxBIN: <b>001111</b>		
RxPCN: <b>ADV</b>		
RxGRP: <b>RX1234</b>		

*COPY*

# SNTs

Protect

- Protect public benefits while improving quality of life.

Avoid

- Avoid Guardianship of the Estate

Manage

- Manage Money

Safeguard

- Safeguard funds against predators and creditors.

Secure

- Secure child support for individuals over 18.

## Established with a beneficiary's OWN money

- Lawsuit settlements, inheritances left to the individual, their own 401k, savings etc.
- This type of trust is used with child support payments.

## These trusts require a Medicaid payback provision

- When the beneficiary passes away, any money left in the trust must be used to pay the state(s) back for any Medicaid money spent on their behalf.
- *All SNTs established with the beneficiary's own money require this provision in order to protect their benefits.*

# Self-Settled or First Party Trusts

# Third-Party Trusts

Third-Party Trusts are funded with a third party's money on behalf of an individual with a disability.

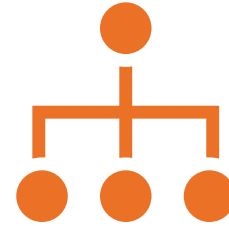
- Used in Future Planning
- Included in a will
- As a beneficiary of a life insurance policy.

# Traditional vs. Pooled



## Traditional SNTs

- Established through an attorney and an individual, bank or trust company serves as the trustee.
- Individual Trust Document is created for your specific needs.



## Pooled SNTs

- Established with a non-profit organization who serves as the manager alongside a Trustee.
- Master Trust Documents are already drafted. The assets may be pooled for investment purposes.



*The Arc of Texas*

MASTER POOLED

*trust*

## Disabled

- The individual must be disabled according to Social Security Administration's definition of a person with a disability.

## Texan

- The individual must be a Texas resident at the time the trust is established.

## Cash Assets

- Only Cash assets or items that can be changed into cash assets.

Does the MPT Work for your situation?



The Arc of Texas serves as the Manager.

- As the Manager, The Arc of Texas handles the day-to-day operations of the MPT.



Providence First Trust Company serves as the Trustee.

- As Trustee, Providence First has oversight over the entire trust and prepare and file taxes for the trust.

The logo for J.P. Morgan, consisting of the text 'J.P. Morgan' in a serif font, centered within a white rounded rectangle.

JP Morgan Chase is the Financial Administrator and Investment Advisor

- JPMorgan handles the investments and sends the money to the beneficiaries and their families.

# MASTER Pooled Trust

The Master Pooled Trust (MPT) has four (I-IV) MASTER trust agreements that are already drafted to meet SSA and Medicaid's requirements.

Individuals can "join" using our Joinder Agreement.

ALL 4 Trusts can help protect benefits.



# Master POOLED Trust cont.

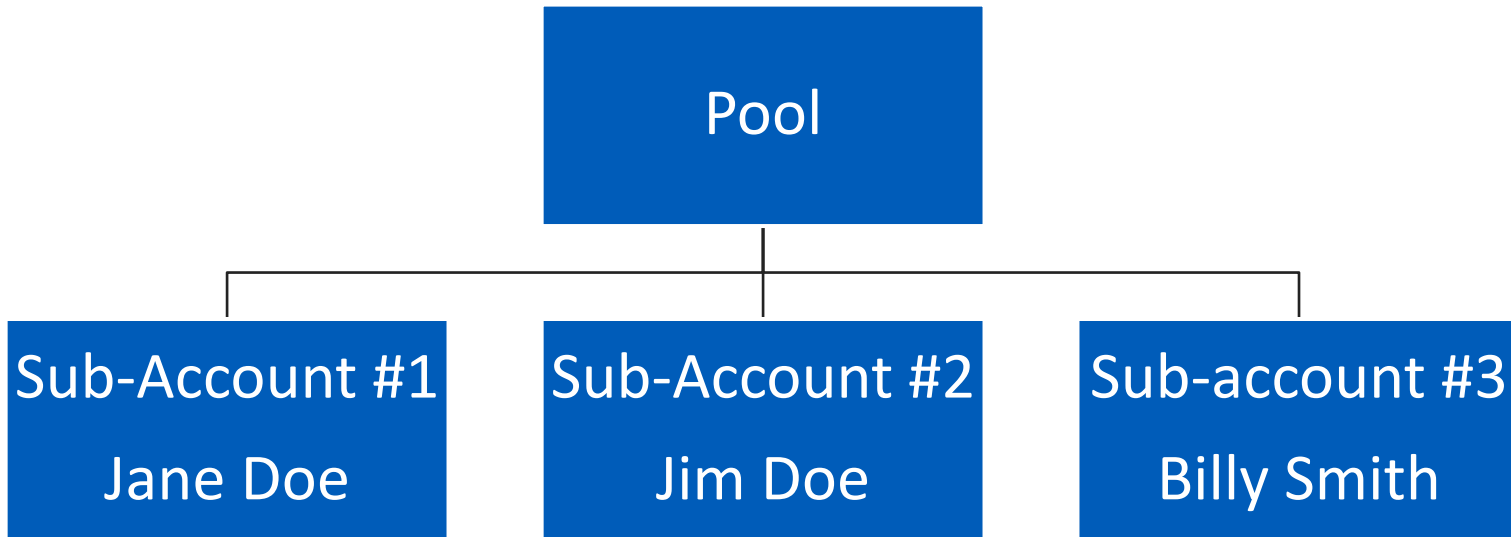
Sub-accounts are “pooled” together for investment purposes.

By pooling all the sub-accounts together, the trust is able to keep fees to a minimum.

There are NO minimum or maximum amounts that can go into the MPT.

**\*\*\*The MPT can only accept CASH assets!\*\*\***

# Sub-Accounting



**For Example: MPT total is \$100,000,000**  
**Sub account has \$1,000,000**  
**Earnings = 1%**

There are over 2000 active funded sub-accounts within the MPT.

Each beneficiary has their own “sub-account” within the MPT.

Beneficiaries *only have access to their own personal sub-account.*

Each beneficiary shares in the *earnings or losses* based on the balance of their account.

# MPT Fees

The Master Pooled Trust is a low-cost alternative.

Enrollment fee is \$600 (non-refundable)

Annual Fees are:

*Minimum annual fee: \$300*

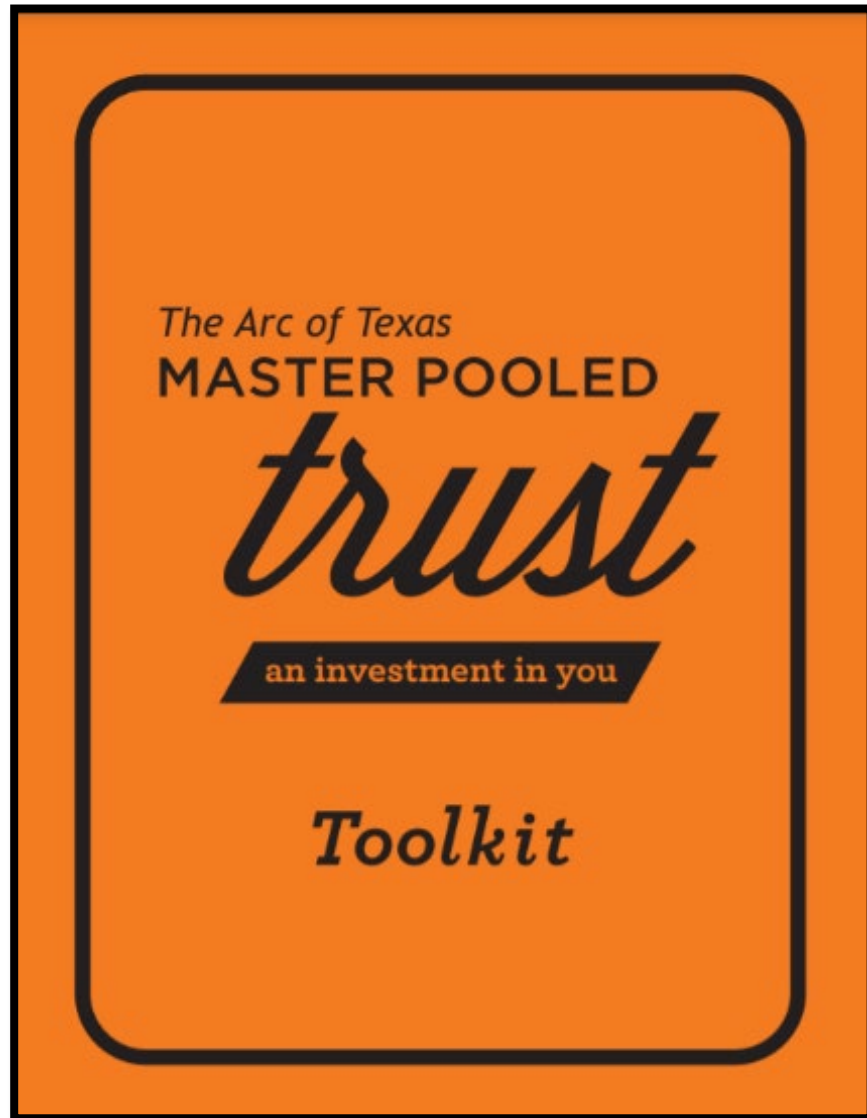
*1.75% on the first \$50,000*

*1.25% for amounts between \$50,000 up to \$100,000*

*1% for amounts over \$100,000*

No Annual Fees required for unfunded accounts.





# How to Use the Master Pooled Trust or SNTs



Check out the toolkit!



[www.thearcoftexas.org/trust-toolkit](http://www.thearcoftexas.org/trust-toolkit)



A hard copy is sent to the representative after enrollment.




All the information you need to know is in here!



# SNT DISTRIBUTIONS

Requires the Trustee or their advisor to understand SSA and Medicaid's rules.



There are specific rules regarding Trusts

Who can benefit

What can be paid for

How a payment can be made



# Distributions FROM AN SNT

**Medicaid and SSA have rules about what a trust can pay for. Several GENERAL rules include**

- NO FOOD AND SHELTER
  - *Rent/Mortgage,*
  - *Utilities including electricity, water, waste-water, naturalgas, trash)*
- NO CASH
- NOTHING THAT WOULD BE CONSIDERED A NON-EXEMPT ASSET

## General Guidelines for Sub-Account Disbursements

No payment can be made directly to any individual that receives SSI or Medicaid.

<b>Generally Not Allowed</b> These items <b>MAY NOT</b> be approved by the Master Pooled Trust. <b>DO NOT PURCHASE!</b>	<b>Generally Allowed</b> These items <b>MAY</b> be approved by the Master Pooled Trust
Rent, mortgage or other payments for shelter, room and board or base rate for a residential facility (including group, nursing or assisted living homes)	Clothing, personal care items, books, magazines, musical instruments, recreational equipment, games and crafts
Real property taxes	Cable, internet and phone services
Utilities (this includes electricity, water, waste water, trash and natural gas)	Out of pocket medical and dental expenses for which there are not funds available, including plastic surgery or other non-essential medical procedures
Groceries, food items or eating out (this includes fast food, restaurants and snacks)	Personal attendant care, supplemental nursing care, home care, respite and similar care that assistance programs may not otherwise provide
Cash or payment made directly to the Beneficiary	Private rehabilitative training and physical therapy
Alcohol, Gambling, Lottery Tickets or Scratch Offs	Companion care, pets, companions for travel, driving and cultural experiences
Travel costs for other family members	Payments to accompany the Beneficiary on periodic outings, vacations and travel in the event that the Master Pooled Trust deems such expenditures are appropriate and reasonable
Recreational Vehicles (e.g. boats, ATVs, etc.)	Special equipment such as an electric wheelchair or other supportive device, a specially equipped van or other vehicle for transportation and transportation costs
Charitable donations or gifts to others (including children of the Beneficiary or any other family members)	Therapies or supplies to provide tactile stimulation, holistic, herbal (not including marijuana) or other alternative therapies or services
Anything covered by another funding source	Programs for training and education as well as social, recreational and entertainment opportunities
<p><i>The Master Pooled Trust NEVER purchases or reimburses for: guns or other weapons; luxury vehicles; stocks, investments or cryptocurrency; or exotic animals.</i></p>	

# General Guidelines for Disbursement Requests

*No payment can be made directly to any individual who receives SSI or Medicaid.*

# What is an ABLE Account?



Achieving a  
Better  
Life  
Experience

**SAVINGS** account for a person with a  
disability that grows **TAX FREE**.

An ABLÉ  
account is also  
“INVISIBLE” for  
Medicaid and  
SSI purposes.

ABLE accounts are  
not considered  
assets for  
Medicaid, SSI and  
other means  
tested benefit  
programs.

# Who can have an ABLE Account?

A person whose ONSET of disability was BEFORE the age of 26\*

*The person does not have to be under 26 to START an account.*



# \*ABLE Age Adjustment Passed!

The ABLE Age Adjustment was included in the FY23 Omnibus Bill

Will go into effect in 2026

Increase the ages of onset of the disability from 26 years old to 46 years old

This would increase the “market” of ABLE accounts from 8 million to 14 million qualifying persons

# Starting ABLE Accounts

- A person can have ONE ABLE account.
- An Individual, Parent, Guardian or Power of Attorney holder for the individual can establish an ABLE account.
- Can be funded by anyone for a person with a disability.



# Qualified Disability Expenses

What can an ABLE  
account pay for?

Education	Housing	Transportation
Employment training and support	Assistive technology and related services	Personal support services
Health	Prevention and wellness	Financial management and administrative services
Legal fees, oversight and monitoring	Funeral and burial	And MORE.

There is a 10% tax penalty  
on funds that are not used for Qualified Disability  
Expenses

## PER YEAR

- In TOTAL, up to the gift tax exemption amount.
- *\$16,000\* can be contributed to the account in 2022*
- *\*see next slide for more info*

## PER LIFETIME

- Up to the amount allowed under 529 Educational Savings Accounts
- *\$500,000 in Texas as of 2022*
- *Each state has their own limit*

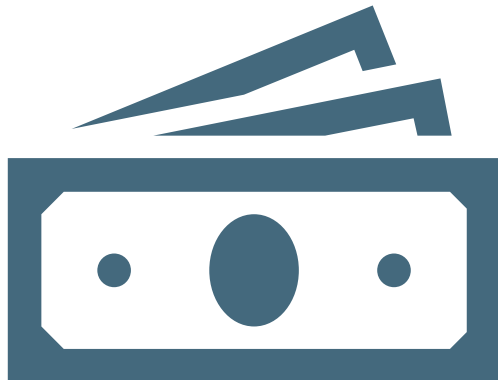
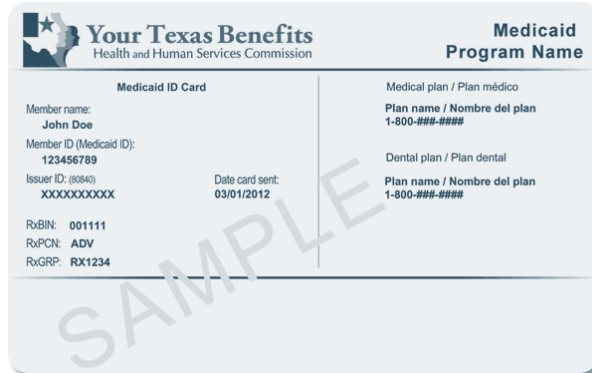
How much can be contributed?

# Medicaid and SSI

**SSI and Medicaid are protected BUT**

SSI cash benefits will be suspended if more than \$100,000 is being held in the account.

***MEDICAID IS NEVER SUSPENDED***



**ALL ABLE Accounts have a Medicaid Payback Provision**

*When the account holder passes away, the State has the opportunity to recover any Medicaid funds that have been spent since the inception of the ABLE Account.*

## Things to consider in an ABLER account.

Accepts Texas residents

Fees

Annual

Withdrawals

Statements

Lifetime deposit limit

Minimum opening cost

Withdrawal options and limit

Direct Deposit

Check

Debit/Prepaid Card

Minimum deposit amount

Number of Investment Options

Rollover options/cost



**ABLE accounts  
are great tools!**



Provides direct access to funds for beneficiaries

Broader spending power (Food and Housing!)

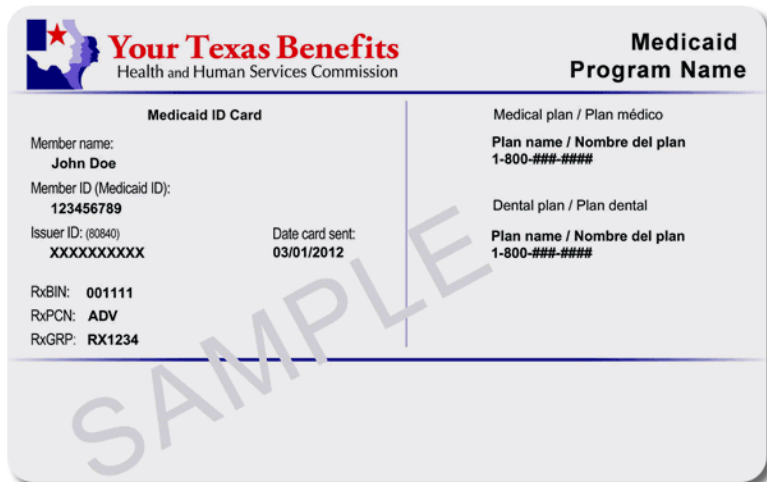
Spending using a debit/credit card



# SSI - Supplemental Security Income

- ❖ Limited Income- earned money, money received from workers compensation, unemployment benefits, the Department of Veterans Affairs, friends or relatives, and free food or shelter;
- ❖ Limited Resources (\$2000) Cash, bank accounts, stocks, bonds, land, vehicles, personal property etc.
- ❖ Not Living in Institution.
- ❖ Can get up to \$914 in 2023

# SSI - Supplemental Security Income cont.



Supplemental Security Income (SSI) is a need-based program that provides cash assistance and Medicaid to low-income adults and children who are blind, disabled or over age 65.

\$1 of SSI means you are eligible for Medicaid in Texas

# SSDI - Social Security Disability Insurance

- ❖ Funded by taxpayers through the Social Security Trust Fund
- ❖ Cash benefits if you are “insured”
- ❖ You worked long enough and paid Social Security taxes.
- ❖ Provides earned benefits for workers who can no longer support themselves through work due to severe impairments.
- ❖ Other family members may also be eligible for benefits. Usually the minor or disabled children of the worker.



# DAC Disabled Adult Child Benefit

# CDB Childhood Disability Benefit

❖ An adult disabled before age 22 may be eligible for benefits if a parent is deceased, receiving retirement or disability benefits.

Paid on a parent's Social Security earnings record.

❖ The "adult child," must:

- Be unmarried (OR married to another person receiving DAC)
- Age 18 or older,
- Have a disability that started before age 22,
- And meet the definition of disability for adults.

❖ An adult child must not have substantial earnings.

*In 2023, this means working and earning more than \$1,470 a month. If you are blind, the monthly earnings limit is \$2,460.*

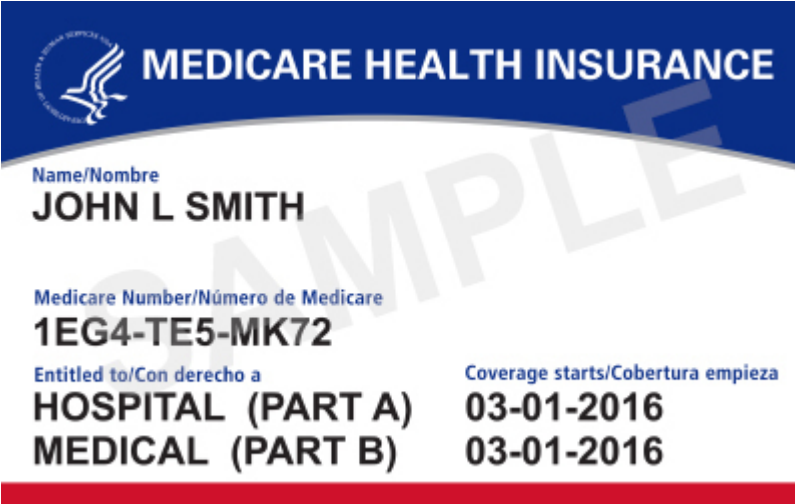
# DAC - Disabled Adult Child Benefit

## CDB - Childhood Disability Benefit

An adult child already receiving SSI benefits or disability benefits on his or her own should still check to see if benefits may be payable on a parent's earnings record.

Medicare is available after 2 years (with exceptions).

Medicaid continues to be available for those that were previously eligible.



**MEDICARE HEALTH INSURANCE**

Name/Nombre  
**JOHN L SMITH**

Medicare Number/Número de Medicare  
**1EG4-TE5-MK72**

Entitled to/Con derecho a	Coverage starts/Cobertura empieza
<b>HOSPITAL (PART A)</b>	<b>03-01-2016</b>
<b>MEDICAL (PART B)</b>	<b>03-01-2016</b>

The image shows a sample Medicare Health Insurance card. It features a blue header with the Medicare logo and the text 'MEDICARE HEALTH INSURANCE'. Below the header, the cardholder's name 'JOHN L SMITH' is listed. The Medicare number '1EG4-TE5-MK72' is also provided. A table at the bottom of the card lists the coverage types and their start dates: Hospital (Part A) and Medical (Part B) both starting on 03-01-2016. A large 'SAMPLE' watermark is visible across the card.

# Why create a Letter of Intent



Letters of intent are pivotal in future planning and are invaluable in administering a trust.



A Letter of Intent ensures the trustee (and others!) knows the abilities, limitations, likes, dislikes, interests, routines, history, future, hopes and dreams of the beneficiary.



A Letter of Intent provides those nuanced details not included in the legal documents.



BUT a Letter of Intent is not a legally binding document.

# What should be included

Who is writing

What's the purpose

Personal Information

Living Situation

Education

Family Information

Legal Decisions

Guardianship

Financial Information

Professional Information

Medical History

Likes and Dislikes

Routines

Emergency Information

Final Arrangements

# Letters of Intent

A sample and more in-depth presentation can be found at:

<https://www.thearcoftexas.org/mpt/resources/>

# The Arc Center for Future Planning

The Arc US has some great FREE resources to begin future planning.

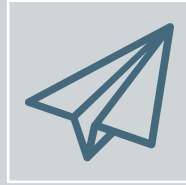
<https://futureplanning.thearc.org>





**QUESTIONS**

# Contact us



Email: [trust@thearcoftexas.org](mailto:trust@thearcoftexas.org)



Phone: 512-454-6694 or  
1-800-252-9729



Fax: 512-454-4956



# Upcoming Events



**TEXAS**  
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# Launch of New Transition Initiative

**May 10, 2023, noon – 1:30 pm (CT)** – The U.S. Office of Special Education and Rehabilitative Services will host a virtual kickoff for its new transition initiative “Expect, Engage Empower: Successful Transitions for All. The event will bring together key stakeholders to *explore potential strategies and innovative approaches to address transition for children and youth with disabilities*. The new effort will *focus on improving postsecondary outcomes* by challenging the field to raise expectations, engage families earlier, and empower all who support transition services to improve outcomes. Register [HERE](#).

# Conferences (1 of 4)

## Save the Date!

**June 22 – 24, 2023** - [31<sup>st</sup> Annual Autism Conference](#), in Austin and virtual. Sponsored by the Texas Education Agency and Texas Statewide Leadership for Autism Training, this event will provide professional development and networking opportunities for families, students, individuals with autism, educators, and professionals.

# Conferences (2 of 4)

## Save the Date!

**July 14 – 15, 2023** - [Texas Parent to Parent \(TxP2P\) Annual Statewide Family Conference](#), in San Marcos. This event helps parents of children (including adults) with disabilities learn to manage daily issues and challenges. The conference will feature 50 sessions with tracks such as transition, health care, special education law, behavior, mental health, parent leadership, and more. Registration opens soon!

# Conferences (3 of 4)

## Save the Date!

**July 17 – 20, 2023** - [The Texas Health and Human Services Commission \(HHSC\) Institute](#) in Austin and virtual. The institute is a comprehensive education and training conference designed to promote integration of the mental health, substance use, recovery, and intellectual and developmental disability service systems.

# Conferences (4 of 4)

## Save the Dates!

**July 25 – 27, 2023** - [2023 Texas System of Care and Community Resources and Coordination Groups Conference, Building Authentic Connections](#), in Austin and virtual. This interagency event brings together youth, family members, child-serving providers, and community and state leaders to improve outcomes for children, youth, young adults, and their families.

**October 26 -27, 2023** - [24th Annual Disability and Chronic Illness: Transition to Adult-based Care Conference](#), in Houston. The conference features thought leaders and researchers sharing knowledge to advance transition outcomes.

# Family Engagement

Parent to Parent virtual Family Support Groups are for families to discuss what's going on and identify ways the TxP2P community may help with resources and ideas. Participants can also connect with other families.

- You may register for:
  - [Meetings in English](#) – Wednesdays at 11 am Central Time (CT), and
  - [Meetings in Spanish](#) – Wednesdays at 1 pm CT.
- To reach the Family Support program, call (737) 484-9044.

# What's New Resources and Publications





# Health Resources (1 of 2)

Texas Health Steps' new Quick Course (free) – [Promoting Healthy Sleep for Children and Adolescents](#) provides guidance about how to assess for sleep disorders and assist families in creating and maintaining healthy sleep routines for infants, children, and adolescents.

Texas Health Steps' new Case Study (free) to address the bullying epidemic, [Is this Child Being Bullied?](#) Review some of the signs and consequences and determine steps to take if you suspect a child is being bullied.

# Health Resources (2 of 2)

Texas Health Steps' free online learning module – [Management of Overweight and Obesity in Children and Adolescents](#) provides best practices, screening guidelines, and practical recommendations to help pediatric providers assess, treat, and prevent overweight and obesity in children and adolescents.

# Financial Education Resources

[Cents and Sensibility: A Guide to Money Management, 7<sup>th</sup> Edition](#) is a free book created in response to the need for financial education in the disability community. Topics and step-by-step activities address budgeting for spending and saving, learning how to save, deciding where to keep money, and more.

[StudyMoney.us](#) is a website to help people with disabilities and their families learn about managing money. Topics include money basics, budgeting, credit, and more.

# Social Security Resource

The [PACER's National Parent Center on Transition and Employment](#) website features informational resources on Social Security with topics such as:

- Social Security Income (SSI) and qualifying for benefits;
- The SSI application and appeals processes;
- Work incentives and the Ticket to Work program;
- What young adults need to know about Social Security Disability; and
- Information for Representative Payees.

# Employment Resource

[Supported and Customized Employment: Side by Side Decision Guide](#) helps to choose between the two approaches.

In the guide you will find:

- Definitions for supported and customized employment;
- A chart outlining how the employment planning works within each service; and
- Key differences in job development for Supported Employment and Customized Employment, and more!

# Publications (1 of 3)

Journal of Adolescent Health, [Quality Measurement Gaps in Pediatric-to-Adult Health Care Transition in the United States: A Framework to Guide Development of New Measures](#). This article by the National Alliance for Adolescent Health describes a new quality measurement framework that identifies existing and proposes concepts to fill the gap in health care transition measurement.

# Publications (2 of 3)

The Texas Education Agency's *Next Steps to Independence Checklist* in [English](#) and [Spanish](#) is now available on the [Texas Transition Student-Centered Transition Network](#) website. This resource:

- Provides a framework for people with disabilities to develop skills for independence;
- Highlights critical developmental milestones organized by age; and
- Includes Teaching and Learning Strategies and the Important Action Steps for Families (by age group) with activities and suggestions for skill building and connecting with community partners.

# Publications (3 of 3)

[My “Must Have” Papers](#) is a comprehensive tip sheet for young adults on keeping and protecting important personal records and information. Download it [HERE](#) in both English and Spanish.

[Tips for Teens: The Truth About E-Cigarettes](#) provides facts about vaping and describes short and long-term effects to dispel common myths.

[Self-Advocacy for People with Disabilities During Hospitalization](#) offers information on patient rights, tips for a hospital stay, and helpful resources.



# Transitioning to Adulthood Film

[Candid Conversations: Handing Over the Reins](#) is a film featuring young adults and parents addressing questions and concerns about transitioning to adulthood, including the importance of self-advocacy skills. The film is divided into three parts:

- Hopes and Dreams;
- Independence & Advocacy; and
- A Few Words of Advice.

# TALC Member Updates



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# Future Meetings

## Transition to Adulthood Learning Collaborative

- August 23, 2023, Noon – 1:30 pm (CT), and
- Our guest will be Elizabeth Danner, State Transition Coordinator with the Texas Education Agency, who will introduce us to their new resource, *Next Steps to Independence Checklist*.

The Medical Home Learning Collaborative has moved to a monthly newsletter and will no longer meet quarterly. To request the newsletter, please email [CSHCNSDG@dshs.texas.gov](mailto:CSHCNSDG@dshs.texas.gov).

# Thank you!

Transition to Adulthood Learning Collaborative  
FY23 Quarter 3

**Please take our post-call survey. We value your feedback!**

To join and receive future meeting invitations, please email  
[Ivy.Goldstein@dshs.texas.gov](mailto:Ivy.Goldstein@dshs.texas.gov)