



STABLE Account FAQs;

1.) Are pet expenses allowed? How is respite an allowed expense, but not paying for your caretaker to accompany you on vacation is not?

As long as these expenses relate to the quality of care of the individual they would be considered allowable ABLE account withdrawals.

2) How would/should the transfer of monies from special needs trusts into ABLE accounts take place? (I think this is getting at transferring monies from a D4A trust to an ABLE account in order to avoid the 1/3 SSI penalties)

Trusts can make contributions to ABLE accounts; however, it is unknown at this time if contributions from a D4A trust (e.g. "Special needs trust") to an ABLE account will successfully avoid the 1/3 SSI penalty for food and housing withdrawals made from these trusts.) There has been informal confirmation from SSA that this transfer would be fine but no commitments have been made in writing.

3) Clarify if SSDI benefits are affected.

SSDI benefits are not income tested so therefore would not be affected by ABLE account assets or withdrawals.

4) If the Federal government is going to be a creditor and expect repayment of services rendered; how does the individual (or their family) determine the dollar amount of those services?

Probably the best bet is to check with your local county Job and Family Services office.

5) Concerns were discussed that a legal representative is fiscally responsible for the ABLE account, and yet the individual can (with some inconvenience) have access to account funds. What firewalls are available, other than the pre-loaded debit card?.

Although the individual is the legal owner on the account, if there is also an authorized legal representative on the account, that person will be the only person allowed to transact on the account.

6) Will all individuals who have STABLE accounts now have to file tax returns?

The individual will receive a 5498 and a 1099 from the Ohio Office of the Treasurer at the end of the tax year, but it is unclear at this time if they would have to file a tax return. Regardless, the individual and/or the individual's parent or guardian will be expected to keep good records regarding STABLE account withdrawals.

7) Which does Medicaid tap first to repay for services rendered, trusts or ABLE account?

– still checking on this.

8.) If a person's condition is not listed on the STABLE website, what can they do to show they have a permanent disability? T

The STABLE website is not actually an exhaustive list of all the qualifying disabilities. A person can demonstrate disability by either being eligible for SSI, being eligible for SSDI, having a condition listed on the SSA's list of compassionate allowances conditions, or have a written and signed diagnosis from a physician that the person is blind or has a medically determinable physical or mental impairment that results in marked and severe functional limitations. They just have to certify during enrollment that they have a signed diagnosis – there is not a requirement to send in documentation. The SSA's bluebook (you can look it up online) lists conditions that also qualify, but is not exhaustive. If they are unsure about eligibility, they can take the quiz on our website. Also - the question references "permanency," but you don't have to have a permanent disability to qualify. It just has to be expected to last at least a year.

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