



Westchester Institute
for Human Development



RIVENT PARTNERS

DISABILITY PLANNING

Maximizing Financial Resources & What is Working in Long Term Planning

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Extremely Important to Plan

There are significant Federal, State and Local financial benefits for families

Self-Direction, SSA, Medicaid etc. are not adequate to live independently in certain communities with high cost of living

Learning to navigate multiple systems can take time (OPWDD, DOH, Social Security, Medicaid, Medicare, OTDA etc.)

Benefits & Services

FINANCIAL BENEFITS

- Supplemental Security Income (SSI) **\$1,054 month** (\$967 Federal, \$87 State)
- Social Security Disability Insurance (SSDI) Max **\$4,018 month**
- Childhood Disability Benefit (CDB) Max **\$3,013 month**
- OPWDD Housing Subsidy (ISS) Max **\$2,330 month**
- Supplemental Nutritional Assistance Program (SNAP) Max **\$292 month***
- Home Energy Assistance Program (HEAP) **\$35 - \$2,000**
- Self-Direction Max **\$166,000**

HEALTHCARE & SERVICES

- Medicaid
- State Waiver Programs (HCBS, TBI, Children's Waiver)
- Medicare (A,B,C,D, Medicare Supplement Plans)
- Department of Health Benefits (CDPAP)
- ACCES-VR



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Maximizing Resources

- Understanding SSI and In-Kind Support and Maintenance (applies to SSI Beneficiaries only NOT SSDI/CDB Beneficiaries)
- Strategically electing SSA retirement benefits
- Understanding Child-in-Care SSA & Childhood Disability Benefit SSA
- Utilizing Self-Directed Services (OPWDD)
- Building up resources (ABLE Accounts, Supplemental Needs Trusts)
- SSI Eligibility & ACCES-VR Tuition Assistance
- Maximize SNAP Benefits
- Healthcare coordination/reimbursement for premiums



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Building the Team

- Legal Guardian
 - Article 17-A
 - Person or Property
 - Article 81
- Power of Attorney/Health Care Proxy
- Representative Payee
- Trustee
 - Corporate or Individual
- Care Coordinator
- Self-Direction Broker
- “Circle of Support”



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Types of Special Needs Trusts

- **1st Party or “Self-settled” (Medicaid Lien)**
 - Grantor trust funded with the individual’s own assets
- **3rd Party**
 - Funded by someone *other* than the individual
 - Primary financial support once parents are gone
 - Can be testamentary or Inter-Vivos
- **Pooled**
 - 1st Party or 3rd Party
 - Useful for small sums/limited family involvement or if self settled & 65+



Funding Examples

SELF-SETTLED (1ST PARTY):

- Wages
- Injury Award
- Inheritance
- Child Support
- Excess SSDI
- Childhood Disability
- Survivor Benefits (under 18)
- Medicaid Planning (Parents)

THIRD PARTY:

- Estate Proceeds
- Life Insurance Death Benefits
- Real Estate
 - Rental
 - Primary Residence
- IRA Assets
- Gifts

Example of Cash Flow Planning

Year	Age	CDB (James' Death)	Childhood Disability Benefits	HEAP	IDGS	OPWDD Housing Subsidy	OTPS	SNAP	SSI	Social Security	Income Flows	
2023	20	\$0	\$0	\$0	\$0	\$0	\$0	\$562	\$2,002	\$0	\$2,564	
2024	21	\$0	\$26,583	\$0	\$513	\$1,500	\$19,392	\$3,000	\$3,457	\$12,315	\$0	\$66,760
2025	22	\$0	\$46,027	\$0	\$526	\$1,500	\$19,586	\$3,000	\$3,544	\$12,625	\$0	\$86,808
2026	23	\$0	\$46,487	\$0	\$539	\$1,500	\$19,782	\$3,000	\$3,633	\$12,943	\$0	\$87,884
2027	24	\$0	\$46,952	\$0	\$553	\$1,500	\$19,980	\$3,000	\$3,725	\$13,269	\$0	\$88,979
2028	25	\$0	\$47,422	\$0	\$567	\$1,500	\$20,180	\$3,000	\$3,819	\$13,603	\$0	\$90,091
2029	26	\$0	\$47,896	\$0	\$581	\$1,500	\$20,382	\$3,000	\$3,915	\$13,946	\$0	\$91,220
2030	27	\$0	\$48,375	\$0	\$596	\$1,500	\$20,586	\$3,000	\$4,014	\$14,297	\$0	\$92,368
2031	28	\$0	\$48,859	\$26,732	\$611	\$1,500	\$20,792	\$3,000	\$4,115	\$0	\$0	\$105,609
2032	29	\$0	\$49,348	\$27,406	\$626	\$1,500	\$21,000	\$3,000	\$4,219	\$0	\$0	\$107,099
2033	30	\$0	\$49,841	\$28,097	\$642	\$1,500	\$21,210	\$3,000	\$4,325	\$0	\$0	\$108,615
2034	31	\$0	\$50,339	\$28,805	\$658	\$1,500	\$21,422	\$3,000	\$4,434	\$0	\$0	\$110,158

Examples of Success

Family Situation:

- 4 Families bought a house together for their kids who are living with I/DD (Ages: 20-30)
- An LLC was created – owns the home
- The house was renovated to fit their needs.
- Parents started planning to be sure there was a communication plan in place for who will step in when parents pass. (Ages: 60-70)

Planning Implemented:

- All families use the same FI (two different brokers)
- Documents: Master Lease Agreement, Operating Agreement, LIC Agreement, Staff Schedules, House Rules
- Family Meetings
- Resources: Combination of SSI, SSDI, SSA, CDPAP, Wages
- Live-in Caregiver
- House Manager & Master Scheduler



FAQ

ABLE account vs Special Needs Trust - What is better?

- ABLE account is better if someone is their own guardian and has earned income or if parents/grandparents want to gift \$\$\$\$
- Useful if someone needs financial assistance paying for Rent/Food
- Trust is better for larger sums of money or for non-cash investments i.e., a house, life insurance, retirement accounts



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FAQ

What assets can someone have and still be eligible for Medicaid?

- House, Vehicle, pre-paid burial account, IRA/401(k), either \$2,000 or \$31,175 depending on Medicaid limit, ABLE Account, Special Needs Trust

Should a Trust own real estate for the benefit of someone with I/DD?

- Trust is often unable to acquire financing (HELOC/Mortgage) and is creditor protected
- Real estate MUST be accompanied by cash/investments or else the Trustee could be in a Catch-22
- Consideration for roommates/liability/Medicaid compliance



Contact Information

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