

My Choice Trust Services

Member & Family Forum Trust Presentation

*Maintain benefits for the supports you need.
Keep your assets for the life you **choose**.*

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Why Use a Supplemental Needs Trust?

- Governmental Benefits & Entitlements

Means Tested Benefits – Assets & Income Count

- Medicaid (Benefit)
- Supplemental Security Income (SSI) (Benefit)
- Section 8 (Housing Benefit)
- Supplemental Nutrition Assistance Program (SNAP) (Benefit)

Why Use a Supplemental Needs Trust?

- Governmental Benefits & Entitlements

Non – Means Tested Entitlements – Assets & Income Don't Count

- Medicare (Entitlement)
- Social Security Disability (Entitlement)

Types of Supplemental Needs Trusts

- Third Party SNTs
- First Party SNTs (Also referred to as Self-Settled” or “Payback”)
- Pooled SNTs

Third Party Supplemental Needs Trusts

- Trust Assets are Exempt
- Provide a source of funds for the beneficiary without risking eligibility for SSI and/or Medicaid
- Funded using assets that DID NOT belong to the Beneficiary
- No requirement to payback Medicaid upon the death of the Beneficiary
- Assets remaining in the Trust upon the death of the Beneficiary can be directed to other individuals and/or charities
- Anyone can contribute to a Third Party Trust

First Party Supplemental Needs Trusts

Section 42 USC 1396(p)(d)(4)(A)

- Trust Assets are Exempt
- Provide a source of funds for the beneficiary without risking eligibility for SSI and/or Medicaid
- Funded using assets that DID belong to the Beneficiary
 - Inheritance
 - Personal Injury
 - Back Payment Awards
 - Lottery Winnings
- Payback to Medicaid upon the death of the Beneficiary

First Party Supplemental Needs Trusts

Section 42 USC 1396(p)(d)(4)(A)

- May be established by the individual with a disability, parent, grandparent, legal guardian or by court order.
- Beneficiary is the Settlor
- Trust must be created before Beneficiary turns age 65
 - Provision in Omnibus Reconciliation Act of 1993 (OBRA '93) requirement
- Finding a Trustee is a consideration – Corporate Trustees are difficult to find with many financial institutions requiring large deposits

Pooled Supplemental Needs Trust

Section 42 USC 1396(p)(d)(4)(C)

- Authorized by OBRA '93
- Pooled SNTs MUST be managed by a not-for profit organization
- Contributed assets are “pooled” for investment purposes but individual sub-accounts are maintained for each Beneficiary
- Must furnish a “Joinder Agreement” and provide proof of a disability meeting the requirements of the Social Security Administration
 - Generally a severe, long-term mental or physical impairment

Pooled Supplemental Needs Trust

Section 42 USC 1396(p)(d)(4)(C)

- Anyone can contribute money to the Beneficiary's account
- Professionally managed, not for profit must have a bank as a Co-Trustee
- No need to find a Trustee or a bank willing to take your account
- Can establish an account at ANY age (even over age 65)
- Upon the death of the beneficiary, the assets remain in the Trust to be used by the not for profit to meet the needs of individuals with disabilities
- No Medicaid payback
- Annual Trust tax returns filed by the Trustee

My Choice Trust Services

Community Trust I

*Maintain benefits for the supports you need.
Keep your assets for the life you **choose**.*



Charlotte Filipovich, Director of Trust Services

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OVERVIEW

WHAT IS COMMUNITY TRUST I (CTI)?

- 🤝 WHO ADMINISTERS CTI?
- 🤝 WHO DOES CTI BENEFIT?

SETTING UP AN ACCOUNT

FAQs



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WHAT IS COMMUNITY TRUST I?



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WHAT IS A COMMUNITY SUPPLEMENTAL NEEDS TRUST (SNT)?

Community Trust I (CTI) is a **Supplemental Needs Trust (SNT)** (also known as a Pooled SNT). An SNT is a type of trust created to help people with disabilities set money aside to be used for life-enhancing activities.

An SNT is designed to allow individuals with disabilities to retain and shelter assets for personal use and enjoyment, without negatively impacting eligibility for asset-capped government benefits in New York State.

These funds are **protected**, and **will not be counted** towards SSI, NYS Medicaid, or any other “means-tested” NY government benefit eligibility requirements.

A Pooled (SNT) establishes a relationship among three parties:

- 1. Donor/ Granter** – who funds the trust
- 2. Beneficiary-** who the trust benefits
- 3. Trustee** – not-for-profit which administers the trust and manages the funds (CCANY)

A supplemental needs trust can pay for life-enhancing items and services that government benefits do not



WHAT IS A COMMUNITY SUPPLEMENTAL NEEDS TRUST (SNT)?

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COMPONENTS OF A COMMUNITY SUPPLEMENTAL NEEDS TRUST

1. The trust must be created and administered by a not-for-profit organization, such as CCANY;
2. All disbursements of trust funds must be for the sole benefit of the beneficiary;
3. An account may be established by the individual, legal guardian, power of attorney, or legal decree;
4. Separate accounts are maintained for individual beneficiaries, but assets are pooled for investment and management purposes;
5. All trust accounts close upon the passing of the beneficiary; and
6. Any funds that remain in the account after the passing of the beneficiary must be retained by the trust for the sole purpose of supporting other individuals with disabilities



WHO ADMINISTERS MY CHOICE TRUST?

Beneficiaries do **not** need to be a member of our CCOs to enroll in My Choice Trust Services

My Choice Trust is sponsored by Coordinated Care Alliance NY (CCANY), a Management Service Organization (MSO) born out of the collaboration of two NY State 501 (c)(3) non-profit Care Coordination Organizations – LIFEPlan CCO and Advance Care Alliance of NY (ACANY).

Together, these Care Coordination Organizations, also known as CCOs, provide responsive, high-quality Care Management Services and support for more than 50,000 individuals with intellectual and/or other developmental disabilities throughout 48 counties in New York State.

WHAT DO WE DO?

As a trustee, CCANY administers pooled supplemental needs trusts for the income and resource (asset) protection of individuals with disabilities.

CTI shelters excess resources while making impactful distributions, so our beneficiaries have the freedom to live their most meaningful lives.



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WHO DOES COMMUNITY TRUST I TRUST BENEFIT?

My Choice Trust Services can benefit people who have:

- 👤 Excess resources (assets), such as inheritances or settlements, as a lump sum or structured payments

There are **no age requirements**, no limits on contribution amounts, and no maximum holdings.

To participate in Community Trust I, the beneficiary must (1) **have a qualifying disability as defined by Social Security and Medicaid** and (2) **be a current resident of New York State**.

If the beneficiary is not yet receiving government benefits like based on disability, they may need to request a disability determination through their physician.



HOW IT WORKS: Community Trust I

Caleb has Down Syndrome and received a \$40,000 inheritance from a relative who did not know Caleb would lose his benefits because of it.

By depositing this money into Community Trust I, Caleb can maintain eligibility for his benefits and the trust funds can pay for life-enhancing things that his benefits do not provide, such as assistive technologies and tuition for his college classes.



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BENEFITS OF COMMUNITY TRUST I: EASY & AFFORDABLE

1. Quickly established as documents are approved by NYS Medicaid and the Social Security Administration (SSA)

This makes it straightforward and inexpensive to set up and maintain. **A typical enrollment can be accomplished in as little as seven business days.**

2. Managed by professionally trained not-for-profit entity staff that understands Medicaid and SSI rules

Receive personalized service from a dedicated team that acts as your trustee.

3. Low minimum funding requirements

Open an account with as little as \$250.

\$100 covers the one-time enrollment fee, with monthly fees as published in the fee schedule. No hidden fees.

4. Easy funding options

Fund your trust electronically and/or by check.

Funds may also come directly from court settlements, escrow accounts, or individuals.

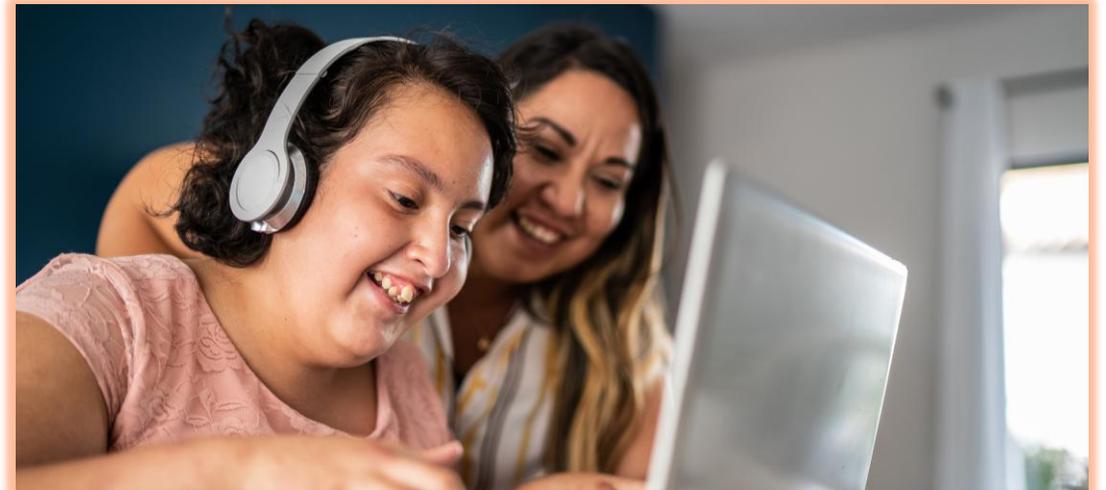


BENEFITS OF COMMUNITY TRUST I: SPEND ON WHAT MATTERS

Trust funds can be used for items and services not covered by governmental benefits, such as:

-  Medical and dental care
-  Education and assistive equipment
-  Transportation
-  Entertainment and recreation
-  Home modifications
-  Rent*, utilities*, household items
-  Medicaid-eligible funeral arrangements

*SSA may count these items as In-Kind Support and Maintenance (ISM), which could reduce your SSI payment.



HOW IT WORKS: Community Trust I

Valarie has autism and is working at a local grocery store while attending college. She recently received a bonus at work, and her personal account has grown beyond her government benefit asset limit. She has been saving up for assistive equipment to help with her classes but is faced with spending her bonus as to not jeopardize her benefits.

By depositing her bonus into Community Trust I, Valarie can maintain eligibility for her benefits and can build her trust funds to pay for life-enhancing assistive equipment to help her with her college classes.



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SETTING UP AN ACCOUNT



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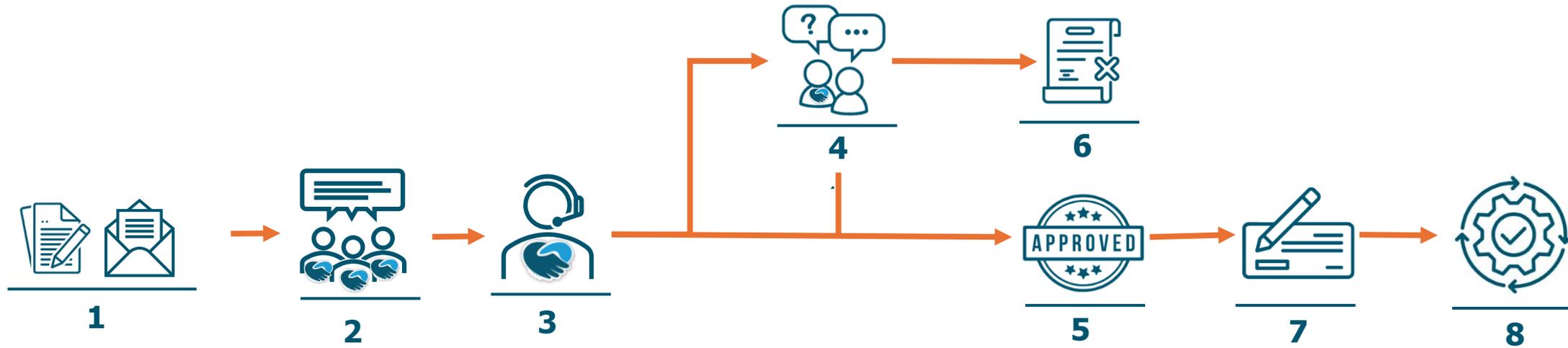
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HOW TO ENROLL: ENROLLMENT PROCESS



1. Completed and notarized application and supporting documentation mailed or emailed (intake@MyChoiceTrust.org) to My Choice Trust
2. Director of Trust Services receives packet and sends to Board of Trustees for review
3. Trust Representative will reach out to applicant and inform them of the application's progress
4. If additional information is needed, the Director of Trust Services will review the necessary materials with the applicant

5. If all requirements are met and everything is in order, the application is approved
6. If requirements are not met, the application will be denied
7. Director of Trust Services will guide the beneficiary through the steps to fund the account with a minimum of \$250
8. Director of Trust Services will review trust functions with the beneficiary, including deposits and disbursements or payments, and answer any questions



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HOW TO ENROLL: SUPPORTING DOCUMENTATION

In addition to the completed and notarized Enrollment Application (Joinder Agreement), the applicant will need to submit the following documents:

- 👤 Copy of Beneficiary's Social Security Card
 - 👤 Copy of SSA Award Letter, or SSA 1099 (if receiving SSI or SSDI)
 - 👤 If not yet receiving Medicaid or SSI, documentation of a disability determination that meets Social Security Administration (SSA) requirements must be provided
- Beneficiaries *do not* need to be enrolled in Medicaid or SSI benefits to qualify for CTI. They *do* need to have a qualifying disability.**
- 👤 Copies of Guardianship or POA paperwork, if applicable
 - 👤 If the account creation is due to a court order, submit a copy of the order



COMMUNITY TRUST ENROLLMENT APPLICATION (JOINDER)

This is a legal document and agreement pertaining to a supplemental needs trust created pursuant to 42 United States Code §1396. We encourage you to seek independent, professional advice before signing.

The undersigned hereby adopts, enrolls in and establishes an account under the Coordinated Care Alliance NY, Inc., Master Trust dated May 2024. This Trust is Irrevocable.

This paperwork pertains to the Trust Services only. It is the responsibility of the beneficiary or their authorized representative to submit any required documents to Medicaid or any of the other appropriate governmental agencies related to benefit eligibility.

***Note: All questions must be answered, or your application will be delayed*

Disabled Beneficiary/Donor: _____
(First, Middle, Last Name)

Social Security Number: _____ Date of Birth: ____/____/____

Street Address: _____

City, State, Zip: _____ County: _____

Birthplace: _____ Citizenship: _____

Home Phone: (____) _____ - _____ Mobile: (____) _____ - _____

Email Address: _____

Gender: _____ Marital Status: Single Married Widowed Divorced

If Married, Maiden Name: _____ Spouse's Name: _____

Does the Beneficiary have a Guardian? Yes No (if yes, please include documents)

If yes, Name: _____ Phone: (____) _____ - _____

Address: _____

Enrollment Application and additional documents are located in the "Documents Library" on our website!

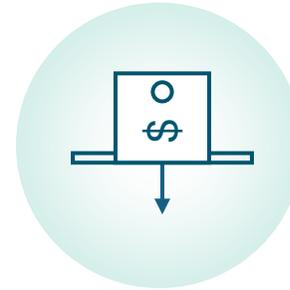


HOW TO MAKE DEPOSITS & WITHDRAWALS

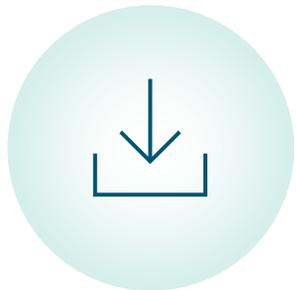
All documents and forms can be found in our Document Library at www.MyChoiceTrust.org



Set up automatic deposits and/or withdrawals



Set up one-time or monthly deposits



Download withdrawal and deposit forms from our website



New Account Deposit slip to fund account by check



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HOW TO MAKE DEPOSITS & WITHDRAWALS

All documents and forms can be found in our Document Library at www.MyChoiceTrust.org

Withdrawals and payments, also known as disbursements, should be requested for direct payment to third parties for life-enhancing items not otherwise covered by government benefits.

Individuals cannot directly withdraw funds from the trust or use trust funds to benefit people other than the beneficiary, as it could endanger the beneficiary's eligibility for Medicaid and/or SSI.

Complete the Withdrawal Form and submit it with appropriate supporting documentation to our headquarters at
258 Genesee St, Mezzanine Level, Utica NY 13502
or **request@MyChoiceTrust.org**

All withdrawal requests will be reviewed on an individual basis. Approval is at the discretion of the trustees.



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FAQs



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FAQs

WHAT IS THE DIFFERENCE BETWEEN A POOLED TRUST AND AN ABLE ACCOUNT?

ABLE Accounts and Community SNTs both offer a way to safeguard resources and preserve financial eligibility for benefits. You can have an ABLE Account from a different agency and a Community SNT at the same time to maximize resources available.

	Community SNT	ABLE Account
Enrollment and Set-Up	<ul style="list-style-type: none"> • Easy enrollment and can be set up with as little as \$250 	<ul style="list-style-type: none"> • Very easy and inexpensive to set up
Managing the Account	<ul style="list-style-type: none"> • Beneficiary or authorized representative • Non-profit organization/trustee to manage disbursement, trust laws, and tax records related to disbursed taxable income 	<ul style="list-style-type: none"> • Beneficiary or an authorized representative
Age Requirement	<ul style="list-style-type: none"> • No age requirement – must meet the social security disability requirement 	<ul style="list-style-type: none"> • Disability onset prior to the age of 26, beginning in 2026 the age is increased to 46
Number of Allowed Accounts	<ul style="list-style-type: none"> • May have multiple SNTs • May also have an ABLE account 	<ul style="list-style-type: none"> • Only one ABLE account per individual • May also have an SNT
Maximum Contribution Limits	<ul style="list-style-type: none"> • No limits to the contribution amount 	<ul style="list-style-type: none"> • Limited to Federal Gift Tax annual exclusion amount which is currently \$20,000
Maximum Holdings	<ul style="list-style-type: none"> • No maximums 	<ul style="list-style-type: none"> • \$520,000
Benefit Impacts	<ul style="list-style-type: none"> • Amounts do not impact benefits 	<ul style="list-style-type: none"> • SSI will be suspended if account exceeds \$100,000
Debit Card Use	<ul style="list-style-type: none"> • Treated as income (see website for more details) 	<ul style="list-style-type: none"> • Ability to utilize a debit card for the account



Questions?



Contact Us

Representatives are available to speak with you Monday through Friday, 8:30 am – 4:30 pm.

If we are not able to take your call, please leave a message and we will return your call as soon as possible.

You can also reach us by email at the address below.

We look forward to hearing from you.

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Document Library

Please click the tiles below to download the document. Once downloaded, you can either fill in electronically and save with a new name to your hard drive or print the document to complete by hand in hard copy. Documents requiring signatures and notarization will need to be printed, signed and notarized. From there, you can either scan and upload for electronic submission or mail in the hard copy.

 Community Trust I Master Trust	 Community Trust I Fee Schedule	 Enrollment Application (Dolider Agreement)	 Information and Procedures	 Steps to Establish an Account	 New Account or Hard Copy Check Deposit
CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN
 Online Electronic Deposit Form	 Allowable Withdrawals Explained	 One-Time Withdrawal Form	 Automatic Withdrawal Form	 Authorized Contact Change Form	 Living Situation or Address Change Form
CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN	CLICK TO OPEN

Check out our website!
www.MyChoiceTrust.org



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