

Q: Can a person leave money for a person in their ABLE account and if so would it be taxed?

A: A person could leave money for someone's ABLE account and it would not be taxed because it would be a gift.

Q: Could you please repeat about the consequences about accepting a "gift" of money or groceries directly by the person with a disability instead of input directly into the account?

A: If you give somebody money it could affect their needs based benefits. By putting the money into their ABLE account it would have zero impact.

Q: Does a Rep Payee Qualify as an authorized individual?

A: Yes, they would need to provide an original document to prove their status

Q: Why was a bank in PA not chosen for the program?

A: We are part of a multi-state consortium and we needed a bank that was located in different states

Q: If a person places their assets in an ABLE account, can they qualify for HCBS waivers?

A: Yes, you would still qualify for waivers, having an ABLE account.

Q: How does a person prove they are or are not capable of managing their finances (as opposed to parents managing their ABLE account)?

A: It's up to the Account Owner if they are 21 years old or older, to make that determination.

Q: What kind of documentation is needed to show that the disability started before the 26th birthday?

A: We do not need documentation when enrolling in the ABLE Program. However, if you were asked to produce a letter, a doctor's note would be all that is needed.

Q. Will you send us the PowerPoint ?

A: Here is the link to the OLTL webinars and the FAQ's:

<http://www.dhs.pa.gov/provider/training/index.htm>

Q.I have a consumer who is actively looking for employment and he receives waiver services. He is struggling to figure out how to actively gain employment and not lose services. He does not want to live off SSI forever but has been told he needs to keep SSI to keep waiver services?

A: The consumer initial starting point should be with a Certified Work Incentive Counselor from a Work Incentive Planning and Assistance organization.

Q: Does a representative payee qualify as an authorized person to open an ABLE account?

A: No, a Rep. Payee does not qualify as an authorized individual. The Federal Law lists: parent, guardian, and power of attorney as an authorized individual.

Q: If someone chooses to work and earn \$1000 per month can they put the entire amount into their ABLE account while continuing to collect their Social Security disability?

A: Assets in an ABLE account up to \$100,000 does not impact Supplemental Security Income (SSI) and does not impact Social Security Disability Insurance (SSDI). How the Social Security Administration (SSA) determines eligibility in regards for income is up to SSA.

Q: Can you tell me if the ABLE account are looked at as an asset when it pertains to income and can you explain how it affects Medicaid, SSI and HUD? What can ABLE account money be used for and what can it be not used for?

A: As far as assets effecting Medicaid, SSI and HUD- with SSI for example, people in the ABLE program will be able to have \$100,000 in ABLE and \$2,000 in other resources and not lose SSI benefits. If you were to go over that number, SSI benefits will be suspended (not terminated) and would kick back on once an individual goes under that cap. Medicaid will still continue. As for housing, people who receive SSI need to pay close attention to dates. If someone pays their rent or mortgage with ABLE they need to pay it in the same month it is due. If you were to take money out, let's say May 31st to pay rent on June 2nd that could affect their SSI benefits because there is a carry over. So to pay June's rent take the money out in June and pay the rent in June and there is no effect on one's SSI benefits. You can use your ABLE account for just about anything.

The proposed IRS Language is “basic living expenses”. We pulled out 11 categories: Education, Housing, Transportation, Employment Training and Support, Assistive Technology and Personal Support Services, Health, Prevention and Wellness, Financial Management and Administrative Services, Legal Fees, Oversight and Monitoring, and Funeral and Burial. Just make sure when you are using your ABLE account to pay for things, that you keep receipts for your records.

Q: Does the ABLE account balance count towards “assets” for state center living expenses?

A: Funds in your PA ABLE account will not affect your eligibility for PA needs-based benefits if they are health or disability related benefits or state student financial aid.

Also, this protection applies only to a PA ABLE accounts, not to ABLE accounts in other states.