



Oregon
Special Needs Trust

Welcome!

*Your guide to understanding and
accessing your trust account*



Achieve with us

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Welcome!

Welcome to the Oregon Special Needs Trust (OSNT) Program of The Arc Oregon. We are pleased to have you as a new account holder.

The purpose of this handbook is to help you understand how and when you can use your trust fund dollars for your supplemental needs in a way that meets state and federal requirements for special needs trusts and enhances the quality of your life.

We are here to help you in any way that we can, so please feel free to contact us if you have any questions or if you need assistance in coordinating a purchase or understanding how your fund works.

Please be sure to keep this booklet handy for future reference. We look forward to working with you!

Contact Information

Mailing Address: The Arc Oregon
2405 Front Street NE, Suite 120
Salem OR 97301

Phone: 503.581.2726

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Email: Cici Gaynor
Program Manager
cgaynor@thearcoregon.org

Paula Boga
Executive Director
pboga@thearcoregon.org

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How Do I Access My Account Online?

Beneficiaries and authorized persons may have online access to account statements.

If you requested online access to your trust account statement when you completed your Joinder Agreement, follow these instructions to view your statement. If you did not request access, contact us and we will be happy to get online access set up for you. You may also request online access by completing the online form on our website.

- Go to The Arc Oregon website: www.thearcoregon.org
- Select **Account Login** from the **Trust Client Services** drop down menu in the top right side of the website
- On the Trust Account Log In page, enter your email address and temporary password.
- Click **Login** (*do not click the Change email/Password option during your first attempt to login*)
- The system will prompt you to change your temporary password the first time you log on. Please keep your password in a safe place so that you will have it for future use.
- If at any time you lose or forget your password, click on **Forgot Password** and a new temporary password will be emailed directly to you. You will be prompted to change this temporary password the next time you log in.
- Once you have accessed your trust account statement you can choose whatever time period you would like to see. You may also print out statements for the chosen time period.

The online information is offered for your convenience but it is generated from the OSNT trust management software based on information provided by Key Bank. Official accounting of each sub-account is provided by Key Bank.

Regardless of whether or not you choose to access your account online, you will receive monthly statements in the mail from Key Bank. Statements will provide a full accounting of the account activity including deposits, disbursements, earnings and fees.

What Can I Purchase With My Trust?

The list of goods and services that can be purchased with a special needs trust is quite extensive. It would be impossible to list them all here. Below are items that are commonly requested and covered. Please keep in mind that this list is only a guide and should not be viewed as an entitlement to these items.

GOODS

- Clothing
- Computers/Software
- Electronics (television, stereo, etc)
- Eyeglasses/Contacts
- Furniture
- Gasoline
- Hobby Supplies
- Household Appliances
- Household Products/Supplies
- Mattress/Box Springs
- Medical Supplies and Equipment not Covered by Other Benefits
- Musical Instruments
- Personal Care Items
- Pet Supplies

- Prepaid Funeral Expenses
- Toys/Games
- Vacations
- Vehicles

SERVICES

- Athletic or Recreation Fees
- Attendant Care
- Auto Repair/Maintenance
- Cable TV
- Cell Phone Services
- Eye and Dental Care
- Hair and Nail Care
- Home Modifications/Improvements
- Insurance - Auto/Renters
- Internet
- Medical Expenses not Covered by Other Benefits
- Music Lessons
- Pet Care/Veterinarian Bills
- Professional Fees - Attorney, Accountant, Financial Planner
- School Tuition
- Tickets to Movies, Concerts, Events, etc.
- Transportation
- Vehicle Modifications for Accessibility

What Can't I Purchase With My Trust?

In order to maintain compliance with state and federal laws, and to maintain your eligibility for public benefits, the following items cannot be paid for or purchased with trust funds:

- ↗ Property Taxes
- ↗ Utilities - gas, water, electric, garbage collection
- ↗ Home Owner's Insurance or Association Fees
- ↗ Groceries or Dining Out
- ↗ Rent/Mortgage Payments
- ↗ Medical expenses, support services, or other expenses that are otherwise covered by benefits for which you are eligible, including group/foster home staff wages
- ↗ Gift certificates, gift cards or other cash equivalents
- ↗ Any item that could be considered a non-exempt resource or asset
- ↗ Expenses incurred after your death

Additionally, OSNT policy prohibits use of trust funds for the following:

- ↗ Alcohol
- ↗ Tobacco
- ↗ Firearms

This is not an exclusive list and anything that is not for your sole benefit and/or is not in your best interest will not be paid from the trust.

MINORS AS BENEFICIARIES

If the trust beneficiary is a minor (under 18 years old), the trust can only pay for items directly related to the care and expense of the condition(s) which qualify the individual for participation in the trust program. Parents and guardians may not be reimbursed for expenses related to their own legal obligation to provide for a child's basic needs.

What Is An Annual Spending Target?

The Annual Spending Target is the recommended maximum amount of money per calendar year that you may access from your account. All accounts are subject to an annual spending target.

PURPOSE

The purpose of a spending target is to ensure that you have funds available on a long term basis, if not throughout your lifetime. If based on your age and/or the amount of money deposited into your sub-trust account the funds will not reasonably last a lifetime, the OSNT Program Director will work with you and/or your advisors to develop a plan for using the money over a specified period of time.

TARGET CALCULATION

The spending target is calculated each year at the time of your annual account review (during your enrollment month) based on the balance in your account, rate of returns on investments, fees and either:

1. Your current age, or
2. The mutually agreed upon terms as discussed with the OSNT Program Director.

REMINDERS

The current spending target for your subaccount will be noted in on your quarterly statement address insert page, as well as in the annual Updated Joinder request.

How Do I Request A Disbursement?

- 1 Complete Disbursement Request Form (either on paper or online at www.TheArcOregon.org)
- 2 Mail, email or fax request and supporting documentation (purchase order, invoice, receipts, etc.)
Mail to: The Arc Oregon, 2405 Front Street NE, Suite 120, Salem OR 97301
Email to: disbursements@thearcoregon.org
Fax to: 503.363.7168
- 3 Allow up to 2 weeks for processing

REQUIRED INFORMATION

The following information is required for all disbursement request forms:

- ↗ Date of request
- ↗ Beneficiary's name (your name if you are the beneficiary)
- ↗ Account number
- ↗ Name of person requesting the disbursement (if not the beneficiary)
- ↗ Requestor's phone number
- ↗ Amount of money being requested
- ↗ Reason for request
- ↗ To whom the check should be made payable (cannot be the beneficiary)
- ↗ To what address the check should be sent
- ↗ Signature of the requestor

REQUIRED SUPPORTING DOCUMENTATION

Depending on the type of disbursement, one or more of the following will be required:

- ↗ Invoice
- ↗ Purchase Order
- ↗ Print out or description of items to be purchased
- ↗ Original billing statement (not just the remittance slip)
- ↗ Confirmation of denial or partial payment of items covered by public benefits
- ↗ Receipts (must include date and itemized descriptions)
- ↗ Tax ID and verification of formal business status for service providers
- ↗ Any other documentation necessary to verify the purchase or payment

RECEIPT POLICY

If a check is issued in advance of a purchase, then the receipts related to the purchase must be mailed to the OSNT within 30 days of the date of the purchase. Additional disbursements may be suspended until the receipts are received.

What Is The Approval Process?

Remember that putting money into a trust is not like opening a bank account; you cannot take out the money whenever you want. All spending requests must be approved by the Program Director and all approvals are at the discretion of the OSNT.

Each request is reviewed with consideration for individual situations and potential impact on preservation of public benefits.

When a disbursement request is received, the Program Director will consider these factors:

- Do the *rules* for a Special Needs Trust allow it?
- Is the request in line with your needs?
- Is there enough money in your account and available based on your annual spending target or the agreed upon spending plan?
- Is it for your sole benefit?
- Has all of the appropriate documentation been submitted?

If the answer to all of these questions is “Yes”, then the disbursement request will most likely be approved.

RULES FOR SPECIAL NEEDS TRUSTS

In order to maintain your eligibility for public benefits, we **cannot** approve any request that:

- Includes anything pertaining to food or shelter. This includes rent, utility bills, property taxes, and dining out.
- May be covered under any other available benefit.
- Is for the purpose of reimbursing you directly or depositing money into your bank account.
- Is payable to you or to an authorized representative in advance or anticipation of a purchase.
- Is not solely for your own benefit.

You should not purchase anything with the expectation of receiving a reimbursement from trust funds.

IMPORTANT OSNT DISBURSEMENT POLICIES

- ↻ Incomplete, unclear or illegible disbursement requests will delay approval until clarification or corrected form is submitted.
- ↻ Whenever possible, payments will be made directly to vendors for purchases.
- ↻ Receipts should be dated within 90 days of a disbursement request.
- ↻ We will require that all receipts for a disbursement be turned in to the OSNT office before any further disbursements will be authorized.
- ↻ We will not accept a disbursement request from anyone who is not on the authorized persons list.
- ↻ Medical expenses will only be paid once all other sources of medical benefits have been exhausted and proof of denial or partial payment is received.

USING TRUST FUNDS TO PAY A CREDIT CARD BILL

Individual products or services paid for with a credit card, by either the beneficiary or another person on behalf of the beneficiary, will be paid directly to the credit card company. The following rules do apply:

- ↻ All receipts related to the current charges must be submitted along with the complete credit card statement. Any listed charge that is not accompanied by a receipt will not be paid.
- ↻ No payment will be made for any items related to food, shelter or other items covered by other public benefit programs.
- ↻ The credit card statement date must be current. Old charges may be considered for payment on a case by case basis.
- ↻ Late payment fees and interest charges will not be paid. Due to the short time frames in which some credit card payments are due, you should pay the minimum payment due on the card if there is a chance that payment from the trust will not arrive in time. Please keep in mind that it takes approximately 2 weeks from the time we approve a disbursement, for the check to arrive at its destination.

Please note that these rules are in place for your protection. Violating these rules may result in a loss of your public benefits. If you would like to use a credit card, it is best to have a card specifically dedicated for purchases to be paid by the trust account. Credit card payments are subject to the annual spending target limit.

RECURRING PAYMENTS

You may be able to use your account to pay a regularly recurring (monthly) bill, such as internet or cable service. If this is something that you are interested in, a **Recurring Disbursement Request** form must be completed.

1. The account to be paid must be in your name.
2. If the subaccount balance falls below the amount necessary to cover 3 months of payments, the automatic payment may be cancelled and you will be notified by the OSNT staff.
3. Automatic payment agreements are valid for 12 months, after which a new form must be submitted.
4. Once your recurring payment request has been received, please contact the vendor and change the mailing address for your billing invoices so that they are sent directly to our office for prompt payment.

VACATION PLANNING

Vacations are an excellent use of your trust fund account. Advanced planning is essential in making sure that your request will be approved. We are happy to help you plan your vacation and to help you locate resources necessary for your trip. In order to use your account funds for a vacation, you must complete a **Vacation Disbursement Request Form**. Our staff will contact you upon receipt of your request to discuss the available options and start planning with you.

Some things to keep in mind when planning for a trip:

- ↺ It is best to plan through a travel agency so that a check from your account may be used to pay for air travel, lodging and activities.
- ↺ Food may be paid for if you will be away from home for more than 24 hours.
- ↺ We cannot issue cash advances to pay for incidental expenses while traveling.
- ↺ If a travelling companion is needed, you may use your account to pay for your companion's expenses, but not their time.

PURCHASING A VEHICLE

Purchasing a vehicle may be an eligible expense but must also be well thought out and planned in advance. In addition to the approval criteria noted above, there are specific requirements for purchasing a vehicle:

1. **Vehicle Report:** A CARFAX vehicle history report is required.
2. **License:** You must have a valid driver's license.
3. **Insurance:** You must obtain insurance prior to taking possession of the vehicle, and maintain valid insurance coverage as long as you own the vehicle. The Arc Oregon must be listed as a loss payee/lien holder on the policy.
4. **Registration:** You must comply with state registration requirements and provide proof of current registration and annual renewals.
5. **Lien Holder:** If trust funds are used for purchasing a vehicle, then The Arc Oregon will be the lien holder for the vehicle. That way, if the vehicle is sold, the funds used from your trust account will be paid back into the trust.

PURCHASING A HOME

Although funds held in trust may be used to purchase a home, these requests will be reviewed on a case by case basis. For more information or to discuss your needs further, contact the OSNT Program Director. As with purchasing a vehicle, any trust money used toward the purchase of a home will require a lien against the property in an equal amount.

How Do I Use Trust Funds For Funeral Planning?

Due to state and federal laws, a 1st party trust account cannot be used to pay for funeral expenses after the death of a trust beneficiary. However, trust funds can be used to pre-pay funeral expenses during a beneficiary's lifetime.

We strongly encourage you to plan ahead and use trust funds to purchase an irrevocable funeral trust. The State of Oregon allows for prepaid funeral plans through a provider certified by the state. The list of Oregon certified providers can be found online at www.Oregon.gov. The OSNT staff would be happy to assist you in coordinating with a provider in your area.

Once the plans have been arranged with your chosen provider, you may instruct the provider to send a copy of the contract to the OSNT and we will process the disbursement and mail the check to the funeral home

You and your family will then have the peace of mind knowing that this expense will be taken care of and will not be a burden in the future.

Who Can Deposit Funds to My Account?

If you are not sure what type of account you have, please feel free to contact the OSNT staff.

BENEFICIARY FUNDED (1ST PARTY)

If your trust account was set up with your own money (beneficiary funded account) then you may deposit money into your account at any time.

DONOR FUNDED (3RD PARTY)

If your trust account was set up with money that was given to you by someone else (donor-funded account) you may not deposit any of your own money into the account, but other people may give you money by depositing into this account.

If you have money that you need to deposit but do not have a beneficiary funded account, then you may contact the OSNT Program Director to talk about whether or not you need to open another account.

How Do I Deposit Funds?

Deposits may be made at any time by mailing a check to The Arc Oregon. Please remember to include your **account number** in the memo area of the check. You may complete and send a **Subaccount Deposit Slip** along with your check, but it is not required.

Make checks payable to:

“The Arc Oregon FBO (Name of Beneficiary)”

FBO = “For the benefit of”

Mail checks to:

The Arc Oregon
2405 Front Street NE, Suite 120
Salem OR 97301

How Do I Make Changes to My Account?

The original agreement that was used to establish your trust fund subaccount cannot be changed. However, changes to contact information for you, authorized persons and beneficiaries may be made, as well as changes to the list of beneficiaries or authorized persons. You will receive an Updated Joinder Agreement each year in your anniversary month. Changes may be made directly on that form and returned to The Arc Oregon office.

BASIC INFORMATION

You may use a **Contact Change Form** to let us know about any changes to your contact information, such as address, phone number or email address. Other people associated with your account, such as authorized persons, may also use the Contact Change Form to update our files with their new information.

LEGAL INFORMATION

Legal information related to your account includes the list of beneficiaries and people authorized to access the account. There may be restrictions on what changes can be made. If you signed established your own account, you may change **beneficiaries** or **authorized persons** on the annual Updated Joinder Agreement. If someone else established the account on your behalf, then that person must authorize the changes. If you have any questions about these changes, please contact our office.

How Do I Get More Forms?

We have included some forms in your Welcome Packet to get you started with your account. We recommend that you make copies before using any of them so that you have more available for future use. Additional forms are also available from the OSNT office and forms may be downloaded or completed online at www.thearcoregon.org.

What About Government Reporting?

Recipients of Social Security disability benefits or their Representative Payees are required to disclose the existence of a trust on the annual report. Account statements that verify trust activity are available online or by request from the OSNT office.

If a letter is needed from the OSNT to verify the nature of the trust and its exclusion as a countable resource for means-tested benefits, please contact the OSNT office.

Can I Close My Account?

No. Your subaccount with the Oregon Special Needs Trust is irrevocable. That means that you may not withdraw or transfer funds or close the account. Your account may be closed by the Program Director if there is not enough money left in to cover the fees associated with maintaining the account.

DEPLETED ACCOUNTS

When a disbursement request will deplete the account balance to less than \$125, the OSNT will calculate the closing fees and issue the final disbursement for the balance. The OSNT Program Director or Administrative Assistant will contact you to advise you of the account status and explain the closing procedure.

Even though no further disbursements will be made, you will still be required to submit final receipts for the last disbursement to maintain your eligibility for public benefits.

MOVING OUT OF OREGON

If you decide to permanently leave Oregon, please contact the OSNT Program Director to discuss your options. We may be able to help transfer your money to an appropriate trust program in your new state of residence, or we may decide together that it is best to leave your account in Oregon. There are many factors to consider in the decision to move a trust will be made on a case by case basis.

DEATH OF THE BENEFICIARY

A subaccount terminates upon the death of the beneficiary. Authorized representatives must notify the OSNT staff and provide a copy of the beneficiary's death certificate before any remainder funds can be disbursed.

Funds remaining in a donor funded account will be distributed based on the donor's wishes as noted in the original Joinder Agreement.

Fund remaining in a beneficiary funded account are retained by the OSNT for the benefit of the Trust. Any funds not retained by the trust must be used to repay the state for any Medicaid benefits provided to the beneficiary during their lifetime before any funds can be distributed to remainder beneficiaries.

We are here to help!

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This booklet is for general informational purposes only. It is not to be construed as any sort of legal, financial or other professional advice or opinions on specific matters. Persons with disabilities and their families are strongly encouraged to consult with an attorney, financial planner, or other professional who has the knowledge and expertise in the area of estate or financial planning as it pertains to the special needs of people with disabilities.