



Supplemental Needs Trusts & Other Strategies to Maintain Eligibility for Income-Based Benefits – After Receipt of a Lump Sum

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See Also Outline on SNTs <http://www.wnyc.com/health/entry/5/>



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The Good News: Bob Inherited \$50,000 from Aunt Mary

The Bad news: Bob relies on Medicaid, SSI, Food
Stamps (SNAP), and lives in a Section 8 apartment.

- Will receipt of the inheritance – or a lawsuit settlement or a lottery win – jeopardize his benefits?
 - Is it income?
 - Is there a transfer penalty if he transfers it?
 - Can he put it into an SNT? If so, what expenses can SNT pay?
- What can you do to protect his benefits – and when should you take these steps?



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Public Benefits and SNTs

- How a lump sum – and transfer of the \$\$ into an SNT or to a 3rd party -- affects eligibility depends on the specific public benefit program
- The rules are different for every program –
 - **Medicaid**
 - **SSI**
 - SCRIE/DRIE – rent subsidy for age 62+ or people w/disabilities
 - EPIC drug subsidy
 - Food Stamps (now called SNAP)
 - Public Housing / Section 8
 - Cash public assistance



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Basic concepts

Financial need is defined by limits on:

- **INCOME** – A lump sum is usually “income” in the month received, and becomes a resource if saved into the next month. But – each benefit defined differently.
- **RESOURCES OR ASSETS** – Bank accounts, liquid savings, real property. Includes a lump sum if saved into the month after received.
 - **1st of month Snapshot** – Medicaid and SSI eligibility is determined by balance of assets as of midnight on 1st of month for which seeking eligibility, *excluding* new income received on the 1st.

Each public benefit defines these factors differently. Some benefits limit only income and not resources/assets.



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What is a trust?

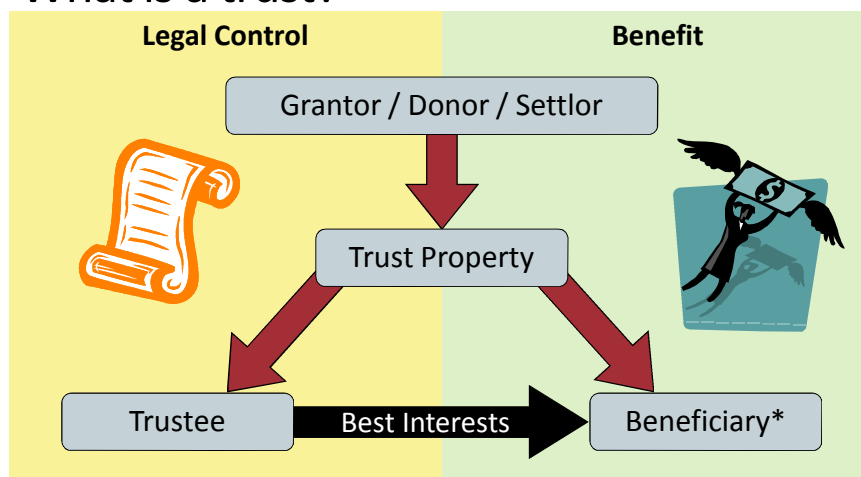
A legal arrangement where one party has the legal ownership of money or property, but must hold it or spend it for the benefit of some other party

- **Estate planning** – allows testator to make gifts to family members but have strings attached
- **Avoidance of probate** – can substitute for will, and avoid cost of will probate
- **Protection from creditors** – “spendthrift trusts” cannot be reached by creditor claims
- **Supplementing public benefits** – “supplemental needs trusts,” or “special needs trusts”

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What is a trust?



* May be same as Donor

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What makes a trust an SNT?

- Supplements public benefits
 - Trust agreement prohibits trustee from spending the trust property in any way that would impair beneficiary's eligibility for public benefits
- Irrevocable
 - No give-backs!
- Beneficiary is disabled
 - Same definition of "disabled" as for SSDI/SSI
- Payback on death
 - Any money left in SNT at death is paid back to State – or with a pooled trust, the money stays in the trust to be used for the benefit of other people with disabilities



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Two Kinds of Self-Settled SNTs

- Individual – (d)(4)(a)
 - Only one beneficiary
 - Trustee can be almost anyone (family, friend, lawyer)
 - **Beneficiary must be under 65 when money deposited**
 - Must be established by a parent, grandparent, legal guardian, or by court order – even though the \$\$ is the client's money
 - Funds remaining at beneficiary's death must be paid back to State for cost of Medicaid services provided; if any left after that, can pass on to remainder beneficiary
 - Need an attorney to draft, and sometimes to go to court for approval
 - Administrative/tax burdens on trustee
 - More flexibility than pooled SNT



Two Kinds of Self-Settled SNTs

- Pooled – (d)(4)(c)
 - Assets “pooled” among many beneficiaries, but each has their own sub-account
 - Trustee is a non-profit organization
 - Beneficiary can be any age
 - Can be established by beneficiary themselves (must have mental capacity – or an agent with a Power of Attorney)
 - Funds remaining at beneficiary’s death must either be retained by the trustee organization, or paid back to the State
 - No attorney needed
 - Trustee organization takes care of administration
 - Less flexible than individual SNT



How does a self-settled SNT work?

- Individual SNT must be established by parent, grandparent, guardian, or court – even though uses client’s own money and client is the donor. OR use a pooled trust – client signs joinder agreement. Either way, trust agreement sets the ground rules for the trustee
- Donor transfers assets to SNT
 - Personal injury settlement, Inheritance
 - Savings
 - Monthly excess income (Only for MEDICAID!)
- Trustee invests and maintains assets
 - Trustee must file tax returns (but not taxable income to beneficiary)
 - Trustee must provide accountings



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How does an SNT work?

- Trustee spends money on behalf of beneficiary
- Trustee cannot give beneficiary cash!
- Trust expenditures must be primarily for the benefit of the beneficiary
 - Can't make gifts to others
 - Can't pay expenses for others
 - Can reimburse someone else for paying beneficiary's expenses
- Trustee must make "third-party" payments
 - Which expenditures are permitted depends on the specific public benefits program in question
- Transfer into trust is irrevocable; must be spent or remain – can't be withdrawn.



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Using Trust to Shelter INCOME

Of all the public benefits based on financial need, only MEDICAID allows transfer of INCOME into a trust to reduce countable income.

- Transfer of income into a trust makes it "invisible" to Medicaid. Eliminates the "spend-down" that must otherwise be paid or incurred.
- May only be used with **Community Medicaid** – including for MLTC, home care, Assisted Living Program.
 - *Hot topic:* May still be used for MLTC even if using Spousal Impoverishment Protections.
- **May NOT be used for Institutional Medicaid** (nursing home).
- **No other benefit allows this!** SNAP, Section 8, etc.



For each benefit, ask these questions

1. **Income** – is receipt of the lump sum count as income when received, affecting eligibility?
2. **RESOURCE** –
 1. If person keeps the lump sum, will they have excess resources disqualifying them from benefit?
 2. If the applicant transfers money into an SNT – or to a 3rd party - does it create a **transfer penalty**?
 3. If they transfer \$ into an SNT, does the trust property count as a **resource** to the beneficiary?
3. What expenses may be paid by the trust – without counting as income to the beneficiary?
4. **TIMING** - when to take steps and report lump sum and deposit into SNT to agency?

MEDICAID & LUMP SUMS

Focus on People with Medicaid Only, Not SSI

1. Community Medicaid
2. Institutional Medicaid
3. MAGI Medicaid

2 Categories of Medicaid Post-ACA

1. MAGI - Affordable Care Act created new “MAGI” eligibility for large population, replacing old one.
 - These are people not eligible for Medicare
 - Mostly < 65. May be disabled but not yet on Medicare. Some seniors if no Medicare.
 - NO asset test. Income based on “modified” Adjusted Gross Income” under U.S. Income Tax. Higher income allowed – 138% FPL.
2. NON-MAGI – Disabled, Aged 65+ Blind (“DAB”) – same old rules, income & asset limits.



Effect of Receiving Lump Sum on Person with Medicaid only – “NON-MAGI”

First, focus is for “NON-MAGI”* Medicaid– Disabled, Aged 65+ Blind (DAB).

- An inheritance or other lump sum is **income** in the month received. If still in one’s possession in the next month, will count as a **resource** against resource limits.
- What to do with a lump sum depends on:
 - **AGE** – whether < or > age 65
 - **DISABILITY** – **if under 65**, is person disabled?
 - Whether need may need **Institutional Medicaid** in the next 5 years
 - **MEDICARE** – If not entitled to Medicare, may be “MAGI” category – no asset limits, different rules. (later)

What to do with Lump sum – Community Medicaid

1. **Transfer of the lump sum has NO TRANSFER PENALTY for community Medicaid.** Includes MLTC, Assisted Living Program, all home care, waivers. However, if enter a nursing home in next 5 years, a non-exempt transfer will be penalized. If that is a risk, ideally avoid transfers that cause a penalty – such as:
2. **Spend** it down – if spent on one’s own expenses, not as a gift for someone else – no penalty:
 - Pre-pay for funeral agreement, burial space.
 - Pay down mortgage, pay back loans.
 - Home improvement, buy stuff, travel.
 - Pre-pay rent, utility bills. Keep receipts!
3. If under 65 and disabled – **transfer to SNT** has no transfer penalty – individual or pooled.



What to do with lump sum -- con'd.

4. **If age 65+** - Transfer into an SNT will have no transfer penalty for community Medicaid, but will if in next 5 years enter a NH. Not advisable if risky.
 - MAY transfer to an SNT for someone ELSE who is < 65 and disabled – not just a child or relative!
5. Other exempt transfers –
 - to **spouse**, who can do “spousal refusal” or, if using MLTC, can keep up to \$74,820 with Spousal Impoverishment protections
 - To **child** who is certified blind or disabled
 - For purposes other than qualifying for Medicaid

Timing strategy – COMMUNITY MEDICAID

Act fast. Goal is to preserve future eligibility and limit liability for past ineligibility. Here's scenario:

- **January** - Bob receives inheritance. Not eligible for Medicaid because it creates excess **income**. Ineligible without medical bills equal to the higher spend-down. Ideally, he takes action to ensure his resources are within the Medicaid limit by:
- **February 1st**. If his **resources** are under limit by midnight of that day, he is eligible for Medicaid in February and it cannot be discontinued. DSS unlikely to sue for cost of Medicaid for being ineligible for just one month – January.
- **March 1st** – If it takes another month to bring resources down, still limiting potential liability to 2 months. DSS still unlikely to sue for costs of Medicaid for just 2 months – Jan. and Feb.



More on strategy – Community Medicaid

Not All or Nothing - can put some of the lump sum into an SNT but transfer or spend the rest. Don't want to put in more than expect to spend during lifetime – balance stays in trust or repays Medicaid.

EX. Bob receives \$50,000 in January. He is 62 and receives SSD (not SSI). He only has \$3000 in savings. By Feb. 28th he:

- \$11,000 – used to bring savings up to the \$14,850 asset limit.
 - It's OK if his monthly SSD brings his balance above that each month, as long as at the end of the month it's below the limit.
- \$10,000 - pre-pay funeral for himself and his daughter.
- \$ 6,000 – he spends on travel and stuff for his home, computer.
- \$23,000 – he puts into an SNT.
 - BUT IF he was 65+ he might instead pre-pay rent, utilities – would not be a transfer.



See funeral agreement info at <http://www.wnyc.com/health/entry/36/>

Duty to Report

Medicaid, SSI and most other benefits impose a duty to report receipt of a lump sum to the agency.

- WHEN: SSI changes must be reported by the 10th of the month FOLLOWING the month of the receipt of the income or other change.
 - Medicaid uses the same rule for DAB.
- If his assets are brought down to the limit before the 1st day of March, and he reports in March, Medicaid cannot be discontinued. Medicaid can only refer case to its Lien & Recovery unit for possible suit to repay cost of care in months he had excess income or assets. May threaten but can't enforce without lawsuit. Not likely to sue for short period.

20 CFR 416.701-416.714, POMS SI 02301.005

Is the SNT a resource?

If it is a properly established SNT, then it is by definition not a countable resource for Medicaid purposes

- **Age 65 CAUTION:**
 - May only deposit assets into an individual SNT if UNDER AGE 65. This is true for Medicaid and SSI.
 - If age 65+ must use pooled trust.

For SSI:
Same rule; doesn't count toward \$2,000 / \$3,000 resource limit

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Do payments from the SNT count as income?

- Because it is an SNT, the trustee is not allowed to give cash to the beneficiary
- If the trustee **pays bills on behalf of beneficiary**, then it is not countable income for Medicaid purposes
- This is because Medicaid does not count **in-kind income** at all unless from legally responsible relatives (meaning trustee or adult child can pay rent directly to landlord – this is not counted as income).
- Medicaid more liberal than SSI. Trust may pay rent, mortgage, maintenance, all utilities, food.



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Lump Sums and Nursing Home Medicaid

- If in a nursing home, or in community and placement in a NH is probable in next 5 years
- **Transfers of Assets trigger transfer penalty**
 - xception – No penalty for transfer into SNT under age 65 if disabled
 - If age 65 or over at time of the transfer, then **Transfer Penalty**. Caution for people on COMMUNITY Medicaid at time of transfer. While there is no penalty for COMMUNITY Medicaid, if they enter a nursing home within 5 years of the transfer into the trust, there is a transfer penalty.
 - Consider other exempt transfers (Eg to spouse or SNT for disabled person under age 65) or spending down money, or gift & promissory note.



Use the right tool for the job - Medicaid

If the problem is...

...then is a pooled or individual SNT the solution?

Excess resources for someone under 65

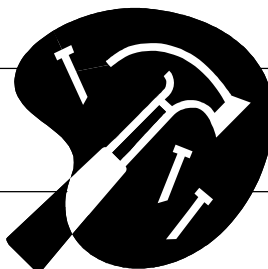
Yes (or individual trust)

Excess resources for someone 65 or older

Probably not

Excess income for someone of any age

Yes – for Community Medicaid only



“MAGI” Medicaid and Lump Sums

1. Elder lawyers mostly deal with “non-MAGI” Medicaid – eligibility for people who have Medicare, so by definition are **D**isabled, **A**ged 65+ or **B**lind (DAB). Their eligibility was not changed by the Affordable Care Act.
2. What about MAGI individuals –don’t yet have Medicare so mostly < 65, though can be some people 65+ without Medicare -- immigrants not eligible for Medicare, or may be 62-65 year-olds collecting early Retirement but not disabled.

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MAGI Medicaid and Lump Sums

- MAGI Medicaid has **NO ASSET TEST**. A lump sum received in the past and saved does not impact current eligibility. Can save, transfer, put in SNT if disabled (good idea if approaching age 65!)
- Is Lump sum Income? Depends. MAGI uses federal income tax rules for Adjusted Gross Income, but slightly Modified.
- **NOT COUNTED as Income** –
 - **Gift or inheritance** (Taxed to the donor, or to the Estate, not to the recipient or beneficiary).
 - **Workers Comp** – lump sums or monthly benefits



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MAGI Medicaid – Lump Sum as Income

Lump sums that are **COUNTED** as income – lawsuit awards, settlements, lottery winnings

- **BUT** – for MAGI Medicaid, the lump sum is counted as income only in the **month** received, and is a resource in later months.
- No resource test in MAGI Medicaid, so eligibility is only affected for one month (when income received) so as a practical matter, it doesn't count.
- The Advance Premium Tax Credits and coinsurance subsidies, however, are based on **annual** income, so a lump sum that would be taxable is counted as income (e.g. lottery).



SUPPLEMENTAL SECURITY INCOME (SSI)

Strategies for Lump Sums & SNTs



Lump Sums and SSI

Many but not all of the Medicaid rules apply to SSI.

- SAME RULE - Which trust – If age 65+, must use a pooled trust, cannot use an individual trust.
- Transfer penalty – Transfers that are not “exempt” trigger a harsh transfer penalty, which can cause suspension of SSI for up to 36 months.
- Exceptions – Transfer into an SNT (pooled or individual) has no transfer penalty *if under age 65*.
- Transfers into a pooled trust if **age 65+** has harsh transfer penalty.



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SSI transfer penalty & strategies

- Penalty period is from 1 to 36 months depending on amount of uncompensated transfer. POMS **SI 01150.110, .111**
- Divide amount transferred by SSI benefit rate applicable to individual. Includes state supplement. If \$8,200 transferred, divide by \$820 (2015 SSI rate for individual living alone) = 10 months.
- Maximum penalty 36 months for transfer of \$29,520.
- Strategy if age 65+ or if < 65 and want to transfer or use \$ and not use SNT: If lump sum is significantly over \$29,520, may be worth accepting penalty and living on the lump sum during the 3 years.

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SSI: Strategy for Age 65+ and Lump Sum

Example: Sally is age 66 and has SSI. She inherits \$100,000.

- Transfers \$50,000 into SNT.
- Spend down \$50,000 over the next 3 years. Her SSI is cut off and she loses \$29,520 she would have received. But her net benefit was \$70,000.
- At end of 3 years, reapply for SSI – document deposit into SNT and how balance spent. Transfer penalty expired. Has SNT to use to supplement SSI.
- **PROBLEM:** She loses Medicaid since her assets outside SNT are > \$14,850. What to do?

SSI Strategy – Medicaid issues

Caution: If SSI is cut off due to Transfer Penalty or excess resources, or any other reason -- will lose Medicaid that is automatic with SSI. The **Stenson** process* provides notices allowing seamless recertification for Medicaid-only.

- Though cut off SSI for assets > \$2000, can keep Medicaid if assets < \$14,850.
- Instead of keeping \$50,000, she spends \$10,000 right away on home improvement, funeral agreement, etc., keeps \$14,850, and puts more into SNT - \$75,000 instead of \$50,000. This way when her SSI is cut off, she can keep Medicaid thru *Stenson*.
- No transfer penalty for community Medicaid. **CAUTION:** Nursing Home transfer penalty if enter in 5 years.

*Stenson cites and info at <http://www.wnyc.com/health/entry/85/>

What can Trust pay for? SSI Stricter than Medicaid

- Payments made by the trust to third parties (landlord, Con Ed, grocery store) for **food** or **shelter** are considered **In-kind Support and Maintenance (ISM)** and will reduce SSI by the lower of (1) the actual value or (2) maximum of one-third of monthly Federal Benefit Rate (1/3 of \$733 = \$244)(2015)
- Shelter includes rent, mortgage, maintenance, property taxes, heating fuel, gas, electricity, water, sewer, garbage removal
- FBR 2015 is \$733/month, so after the 1/3 reduction get \$488.66 (plus \$87 N.Y. State supp). Reduction may be worth accepting if rent is very high, say \$1,500 – it's worth a \$244 reduction in SSI check, if enough in SNT.

Allowed trust payments without reducing SSI

- Trust **may** pay for cable, phone, cell phone, internet, travel, local transportation, entertainment, education, and clothing. An account could be set up with a car service that would bill the trust monthly.
- Pre-payment of burial expenses is OK thru a funeral agreement. (If few expenses but never pre-paid for burial, enter into a monthly payment agreement with funeral home, which trust can pay).



OTHER BENEFITS

- SCRIE
- EPIC
- SNAP/Food Stamps
- Section 8/Public Housing
- Public Assistance Cash

See complete discussion in SNT Outline by NYLAG at <http://www.wnyc.com/health/entry/5>.



SCRIE Rent Increase Exemption

Is a lump sum income for SCRIE? Depends on source.

- Gifts, inheritances, from non-legally responsible relatives don't count. 9 NYCRR 2202;
<http://www.nyc.gov/html/dof/downloads/pdf/brochures/scriedriebrochure.pdf>
- Personal injury awards excluded by agency policy.
- Other lawsuit settlements, lottery wins, capital gains from sale of stock – do count as income.

Annual income limit now \$50,000 --- Application is based on income in **prior** calendar year. Renewable based on "certification of the tenant's continued eligibility." Id.

Is it a resource? There is no asset limit so no lookback and no transfer penalty. No resource issue.

Is SNT's payment of expenses income? State Reg is silent. May be exempt as "gifts" – above? Not clear.

EPIC Drug Subsidy for age 65+

- No asset limit.
- No specific exclusions from income.
- Income limits increased to \$75,000 for singles and \$100,000 for couples in 2014 – though sliding scale on EPIC deductibles and premiums.

See

http://www.health.ny.gov/health_care/epic/eligibility.htm

Food Stamps (“SNAP”)

Is a lump sum income? State Food Stamp Source Book* at p. 276 expressly exempts “NON-RECURRING LUMP SUM PAYMENTS - This includes but is not limited to the following:

- a. Income tax refunds, rebates or credits,
- b. Retroactive lump sum Social Security, SSI, TA, Railroad Retirement benefits, or other payments, or
- c. Retroactive lump-sum insurance settlements.”

While FSSB doesn’t specify other lump sum sources – lottery wins, lawsuit settlements, inheritance, the “including but not limited to” language should prevail.

*<http://otda.ny.gov/programs/snap/SNAPSB.pdf>



Food Stamps – Resource limit

If household has someone > age 60 or disabled:

- **NO RESOURCE LIMIT** as long as gross monthly income < **200%** of Federal Poverty Line (in 2014, \$1,946/mo. for single, \$2,622/mo. for couple)

If > age 60 and income > 200% FPL –

- RESOURCE LIMIT is \$3,250.

If < age 60 –

- RESOURCE LIMIT IS \$2,000.

IF resource limit applies – SNT should be exempt.

7 C.F.R. § 273.8(e)(8)(i) - (iv); OTDA Food Stamp Source Book at pp. 363 -364;
http://otda.ny.gov/policy/directives/2001/INF/01_INF-08.pdf at 5.

Food Stamps – Transfer Penalty

- If no resource limit applies because age 60+ and income < 200% FPL, there should be no transfer penalty for transferring a resource – whether into an SNT or otherwise.
- If resource limit DOES apply, there is a transfer penalty of up to 1 year disqualification, depending on amount transferred. \$5000 in resources above resource limit = 1 year penalty. \$250 above limit = 1 month penalty. And in between.
- Lookback is only 3 months before application. So if transfer assets wait > 3 months to apply for FS.

Food Stamps – Expenditures by Trust

Vendor payments by SNT don't count as income. But if SNT paying rent or other expense that would otherwise be deductible from income, can't use that income deduction. OTDA 01-INF-8.

- Direct payments to household (as opposed to vendor payments) do count as income if reimbursing for normal living expenses (food, shelter, clothing). Id.

Section 8, Public Housing – Assets

NO ASSET TEST! But - For assets in excess of \$5,000 **income** is imputed and counted in rent calculation.

- Count larger of actual income generated by the asset or an “imputed” income at annual rate of 2%.
- If income generated gets high enough, rental subsidy is reduced to zero.
- TRUST assets exempt if not in control of tenant. Income not counted. 24 C.F.R. § 5.603(b)(2).

24 C.F.R. § 5.609(b)(3); §5.603(b)(3) and Public Housing Occupancy Guidebook ("PHOG") p. 121-122,

<http://www.hud.gov/offices/pih/programs/ph/rhiip/phguidebooknew.pdf>.



Section 8 – Transfer Penalty & Income

Transfer of assets > \$5,000 = Transfer Penalty

- For 2 years after transfer, actual income of 2% asset (imputed income) is imputed to increase rent. Includes transfers to an SNT

Certain lump sums don't count as income, so no penalty for transfer:

- inheritance, temporary, nonrecurring or sporadic income (including gifts), health and accident insurance, reimbursement for medical expenses, capital gains, retro SSD/SSI, settlement for personal or property losses, tax refunds. 24 CFR 5.609(c)

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Section 8 – Disbursements by Trust as Income

No specific mention of what a trust may or may not pay for in regs.

- Regs say what is not income, e.g. temporary, non-recurring or sporadic income (including gifts) – so if trust pays non-recurring expenses, should be OK. May be risky to pay regular recurring expenses.
- However, withdrawal of the principal, not earnings, of family assets is not “income.” 24 C.F.R. § 5.609(b). Arguably this would exempt withdrawals from a self-settled trust, to extent come from principal.

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Temporary Assistance (Cash assistance)

This is “welfare” cash benefit for needy families, singles and couples – not eligible for SSI.

- Resource limit - \$2000 or \$3000 if 60+ in household
- Harsh “lump sum” rule – Lump sum deemed available for the number of months it would have lasted at the client’s benefit rate. EX: If benefit is \$350/month, a \$3500 lump sum would disqualify from TA for 10 months.
- Not just a transfer penalty. Same penalty applies if spends or keeps the lump sum.
- EXCEPTION FOR CERTAIN SNTs – Next.

Temporary Assistance – 3 exceptions to penalty

1. SNT EXCEPTION to lump penalty: No penalty if “receipt of the lump sum monies simultaneously coincides with the creation of an SNT.” OTDA 01-INF-08 March 8, 2001.*
 - TIMING - penalty will still apply even if the recipient intends to *later* establish an SNT with the lump sum funds. The SNT must be created *before or at the same time* the lump sum is received.
2. Small lump sums may be kept without penalty if do not bring resources over the resource limit. BUT still count as income so result in overpayment for month of receipt. Id.

http://www.otda.state.ny.us/main/directives/2001/INF/01_INF-08.pdf

T.A. 3rd exception to transfer penalty

3. When lump sums are greater than the TA resource limit, certain expenditures made within 90 days from receipt do not translate into a period of ineligibility:
 - cars for work,
 - college tuition,
 - a burial plot, and a funeral agreement.

For more details on maximum amounts that can be set aside, see OTDA 03 ADM-10 p. 3.

T.A. – Are trust expenditures income?

Whether disbursements from an SNT are “income” determined by rule of program from which is receiving benefit (SNAP/ T.A.). EPTL. Income earmarked for a specific purpose must be exempted for TA unless it supplements benefits provided for in the TA standard of need. OTDA 01-INF-08.

- Expenses NOT COUNTED AS INCOME: education expenses, medical expenses (private health insurance premium, medical expenses not covered by Medicaid or health insurance, child care costs, expenses of disabled beneficiary such as housekeeping, aides, social workers, therapists, and vocational rehabilitation aides, and legal expenses.
- EXPENSES COUNTED AS INCOME – payment of day-to-day living expenses, hobbies, vacations, recreation and entertainment.

TIP: Draft SNT to ensure that expenditures by the SNT are earmarked for the purposes listed above, so would not count as income.

2001 OTDA 01-INF-08; 18 N.Y.C.R.R. § 352.16(a).

Other web resources

- **Outline on SNTs** <http://www.wnylc.com/health/entry/5/>
- **How to use pooled trust to eliminate spend-down**
 - **Step by Step Guide** - <http://wnylc.com/health/entry/44/>
 - **Longer Memo** <http://wnylc.com/health/file/4/>
- **Disability Determinations** - <http://wnylc.com/health/entry/134/>
- **List of Pooled Trusts** - <http://wnylc.com/health/entry/4/>
- **Legal Authorities** - <http://wnylc.com/health/entry/128/>