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Supporting and Empowering People with Disabilities and Their Families Through Education, Outreach, Networking and Future Planning Services.

September 2018

The ACHIEVA Family Trust Newsletter has a new look and new name. Welcome to the first issue of 'TRUST MATTERS'

Protecting Assets For Those Struggling with Addiction

Article by Amy Chill, Paralegal, ACHIEVA Family Trust

Keeping cash out of the hands of someone struggling with addiction is a primary concern for his or her loved ones. After all, the more cash the person has, the greater the access to drugs and/or alcohol. That concern becomes paramount when consulting with an attorney for estate planning for a loved one struggling with addiction.

After all, how can a person leave part of his or her legacy to someone who likely does not have the ability to appropriately handle money? The answer: create a Third Party Trust that will meet the supplemental needs of the person struggling with addiction, without ever giving them cash directly.

As Pittsburgh attorney Martin Hagan shows in the article *Substance Abuse Poses Problems for Estate Planning*, setting up Third Party Special Needs Trusts can certainly alleviate concerns about leaving assets to those with addiction issues. With 20 years of experience, ACHIEVA Family Trust is happy to serve as corporate trustee in these situations, as well as others that involve individuals who receive vital government benefits.

To learn more about Third Party Trusts, please contact ACHIEVA Family Trust for additional information at familytrust@achieva.info, 412.995.5000 x565 or achievafamilytrust.org.

Substance Abuse Poses Problems for Estate Planning

From The Almanac, South Hills Community News, Article by Harry Funk

As you read about the detrimental effects that substance abuse has on various facets of American society, you may have missed what attorney Martin Hagan hears from clients with growing frequency.



"Well, we basically want to give our children an equal share," they'll tell him during estate-planning consultations, "but we have a child who is involved in opioids or alcohol, and there might also be some mental illness involved. And we're just not sure what to do. Can you give us any ideas?"

The Mt. Lebanon resident and partner in the Private Clients Practice Group of Pittsburgh-based Meyer, Unkovic & Scott shared potential answers with his colleagues as a featured presenter at the Pennsylvania Bar Institute's recent Elder Law Institute in Harrisburg. "When it comes to substance abuse, I think what I have seen is that most lawyers treat this in a manner something like: If a trustee determines that the child is using drugs, then all distributions shall end," he said. "I think that is of limited effect, because it presumes that an addict like that is going to be motivated just by money, an external motivational factor. And typically, that is not going to work."

[Read more](#)

Contributions to ABLE Accounts May Now be Eligible for the Saver's Credit

From Special Needs Answers, Article by Andy Jones



Under the federal tax code, certain low- and middle-income workers are eligible for a tax credit, known as the Saver's Credit, designed to reward them for contributing to their retirement plans. The new tax law, the Tax Cuts and Jobs Act, provides that people will now be able to benefit from the credit when they contribute to ABLE accounts for people with special needs.

As we have previously discussed, Congress passed the Achieving a Better Life Experience (ABLE) Act in 2014, creating a new savings vehicle for people with disabilities that preserves their eligibility for Medicaid, food stamps, and other means-tested programs while saving for disability related expenses.

Annual contributions to ABLE accounts are capped at \$15,000. Of these contributions, a certain portion of the first \$2,000 -- \$4,000 if the person is married and filing joint taxes -- can be deducted via the Saver's Credit, depending on the contributor's income.

[Read more](#)

Legal Clinic and Speaker Series

Future Planning Legal Clinic
Thursday, October 25, 2018

Sources of Grant Funding to Support People with Disabilities

from 8 a.m. - 1 p.m.

ACHIEVA's South Side Office, 711 Bingham Street, Pittsburgh, PA 15203

Local attorneys who are experienced in special needs planning for families of individuals with disabilities will be available for 30 minute appointments during which they can help attendees develop a preliminary future planning strategy. Topics of discussion can include, among other things: Wills, Guardianship, Power of Attorney, Representative Payee, Special Needs Trusts, and ABLE Accounts.

The purpose of the clinic is to provide individuals with disabilities and their families a no-cost initial consultation after which they are free to schedule a follow up appointment with the attorney in order to have the appropriate documents drafted.

Please contact Amy Chill at 412-995-5000 ext. 414 or achill@achieva.info in order to schedule an appointment. Walk-ins cannot be accommodated. Please consider taking advantage of this excellent opportunity to plan for you and your family's future.

ACHIEVA has free off-street parking at its South Side office and its building is accessible.

This clinic is made possible through grants provided by the Allegheny County Bar Foundation and the United Way of Southwestern Pennsylvania.

**Friday, September 14, 2018
from 9:30 - 11:30 a.m.**

Speakers: Aviva Lubowsky, Director of Marketing & Development, Hebrew Free Loan Association; Jennifer Stoyer, Residual Account Coordinator, ACHIEVA Family Trust Charitable Residual Grant Program and Katherine Reim, Access to Assistive Technology (AT) and Financial Empowerment.

[Attend in Person](#) [Attend Via Live Webinar](#)

Cultivating Caregiver Resilience

Friday, October 12, 2018 from 9:30 - 11:30 a.m.

Speaker: Rosemary Hanrahan, MD, MPH, ACC, Beyond Words Wellness Resources

[Attend in Person](#) [Attend Via Live Webinar](#)

Housing Options for People with Disabilities

Friday, November 9, 2018 from 9:30 - 11:30 a.m.

Speaker: Michelle Stockunas, ACHIEVA Vice President, Home & Community Supports, and Sandra Nesbitt, Action Housing

[Attend in Person](#) [Attend Via Live Webinar](#)

No meeting in December.

[Read more, here, for the 2019 schedule.](#)

OTHER NEWS

Department of Human Services Highlights Service Expansion for Pennsylvanians with Intellectual Disabilities and Autism (ID/A)

From the Department of Human Services

The Department of Human Services (DHS) former Deputy Secretary for Developmental Programs Nancy Thaler discussed the expansion of services available for Pennsylvanians with autism spectrum disorder and their families at an event in the Capitol Media Center. Because of Governor Tom Wolf's current and 2017-2018 budgets, combined investments of nearly \$100 million resulted in the second-largest expansion of services for Pennsylvanians with intellectual disabilities and/or autism in the program's history.

“Expanding access to support services can be critical to helping people with an intellectual disability or autism live an enriching life in their community with their family and friends,” said Thaler. “This continued investment demonstrates a commitment to supporting Pennsylvanians with an intellectual disability or autism and making it possible for more people to live everyday lives.”

Governor Wolf’s 2018-2019 budget included \$74 million in support of programs and services for Pennsylvanians with intellectual disabilities and autism spectrum disorder. This funding allows for a significant expansion of services in waiver programs, and all Pennsylvanians with intellectual disabilities or autism will be able to use support coordination to help find and use resources in their communities.

People with autism spectrum disorder now have access to all support programs offered through DHS’ Office of Developmental Programs (ODP) and will be considered for all waiver programs. Previously, only people with autism who expressed interest in waiver services were considered.

This investment in ODP services also ensures that 800 public school graduates with autism and intellectual disability will be able to access support services at the time of graduation. Graduates previously waited up to six months for services – a gap that can result in loss of skills learned during school.

“Our goal is to ensure that individuals with an intellectual disability or autism and their families have support at every stage and transition in their lives. Graduation is an exciting but uncertain time for all students, but for graduates who require additional supports, that life change can bring additional challenges” said Thaler. “Connecting graduates to services eases this change and helps graduates find a job and navigate the next step of their lives with confidence.”

Funding in the 2018-2019 budget supports: 100 individuals transitioning from the emergency waiting list to the Consolidated Waiver; 800 students graduating in 2018 in the Person/Family Directed Support Waiver and the Community Living Waiver; 40 individuals transitioning from the interest list to the Adult Community Autism Program (ACAP).

For more information on DHS, the Office of Developmental Programs, and services available for Pennsylvanians with an intellectual disability or autism spectrum disorder, visit www.dhs.pa.gov.

Future Planning Resources

[ACHIEVA Family Trust Website](#)

[Future Planning Guide](#)

[Attorney's Familiar with Special Needs Trusts](#)

[Upcoming Programs and Archived Webinars](#)

[Upcoming Family Trust Speaker Series](#)

Attorney Spotlight

Nic Sasso joined Rothman Gordon in 2017 after practicing in Arkansas for five years. His concentration is on estates and trusts matters, with a special focus on Elder Law. Specifically, Nic counsels clients within the areas of Estate Planning; Tax Planning; Special Needs Planning; Probate Administrations, including Guardianship and Estate Administration; and Medicaid Planning, including Crisis Medicaid Planning and

Medicaid Appeals.

Nic enjoys speaking and interacting with the public and can tailor a presentation for nursing homes, senior groups, financial planning seminars and senior expos, to name a few. He has presented topics ranging from "Planning for Incapacity" to "Elderly Abuse and Exploitation" but can address nearly any estate planning and elder law issue.

He received his B.M. from Duquesne University Mary Pappert School of Music and after studying law at the University of Arkansas School of Law in Fayetteville Arkansas, received his J.D. from Ohio Northern University College of Law. Nic received the Ohio Northern Pro Bono Service Recognition in 2011.



In 2013, he was named the Volunteer Attorney of the Year for the 18th Judicial District of Arkansas by the Legal Aid of Arkansas. Nic is a member of both the Allegheny and Westmoreland County Bar Association's.

Court and Bar Admissions: Pennsylvania and Arkansas



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