

## **HB 4542 (ABLE) is a great bill...and we can make it even better for individuals with disabilities and their families.**

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**#1: Add spendthrift (i.e., creditor) protections.** Family members are putting their own funds into these accounts and individuals with disabilities are vulnerable to creditors. Let's explicitly protect ABLE accounts.

**#2: Ensure program managers have a customer service commitment.** There is a higher level of commitment that is required with serving the needs of this population. A program manager has to have a higher level of customer service to serve the unique needs of this population.

**#3: Ensure marketing materials refer to payback requirement.** This is an important public service announcement for parents and family members of individuals with disabilities. Many family members would be better served doing a "third-party special needs trust" that avoids the payback requirement altogether.

**#4: Define designated representatives and give them flexible authority.** Make it clearer who can act on the behalf of a designated beneficiary and give that person sufficient authority to act without incurring additional hassle and cost.

**#5: Notify designated beneficiaries of overfunding.** It is great that anyone can fund ABLE accounts. However, the designated beneficiary's benefits could be in jeopardy if overfunded. We need to make sure they are timely notified of overfunding, so they can take corrective action.

**#6: Ensure language allows other states to contract with us.** We will have a best-in-class ABLE program. Let's make our program even better by making it explicit that other states can contract with us.

**#7: Ensure that there are multiple ways to request distributions.** Make sure requests are both old technology (i.e., U.S. Mail) and new technology (i.e., internet) friendly.