



Special Needs Trusts

## PLAN of Massachusetts & Rhode Island, Inc.

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### SPECIAL NEEDS POOLED TRUST: DISBURSEMENT GUIDELINES

## **DISBURSEMENT OF FUNDS FROM SPECIAL NEEDS POOLED TRUST**

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### **Guiding Principles**

All disbursements from the Special Needs Pooled Trust are subject to the following four principles, which reflect federal law.

- **Sole Benefit:** Disbursements must be used for the sole benefit of the beneficiary. They are intended to enable the person to lead as comfortable, dignified, and fulfilling a life as possible.
  
- **Supplemental Needs:** Disbursement must be used to supplement public benefits; for example, to pay for things for which Medicaid would not pay.
  
- **Payments to Third Parties:** Disbursements must be made to third-party vendors (such as a furniture store, for a more comfortable chair for the beneficiary) or to reimburse third parties for payments made for the benefit of the beneficiary (such as when a caregiver buys a heating pack for the beneficiary's use). Payments cannot be made directly to the beneficiary.
  
- **Sole Discretion:** Neither the beneficiary nor any person acting on behalf the beneficiary can require PLAN to make payments or reimbursements. PLAN, as the Trustee, has sole discretion to authorize payments or reimbursements from the beneficiary's Trust account. This helps to ensure the beneficiary's account is used in a way that serves his/her long-term needs and does not negatively impact his/her benefits.



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## **SAMPLE DISBURSEMENTS / USES OF TRUST FUNDS**

The following examples illustrate the types of appropriate disbursements that may be made for a beneficiary.

- Health and dental treatment and equipment not covered by insurance—or where out-of-pocket cost or deductibles are charged. *Examples include; eyeglasses, supplemental nursing care, dietary supplements, rehabilitative services, or private therapy.*
- Companion services or private case management (this must be discussed with your Service Coordinator to be established).
- Clothing and personal needs such as toiletries or haircuts
- Household items such as furniture, bedding, television, or microwave
- Prepaid funeral and burial costs prior to death
- Personal electronic devices such as mobile phone, tablet, or computer
- Transportation costs such as chair-car service not covered by insurance, taxi, private service rides, or vehicle repairs **[Vehicle purchases by the Trust require review by PLAN and the Board. Contact your Service Coordinator to learn more.]**
- Recreational activities, cultural events, travel, books, movies, or entertainment **(requests for payment of vacations must be pre-approved and should be discussed with your Service Coordinator. Please allow at least 2 weeks for PLAN to review the request. All expenses related to the vacation must be submitted with the request.)**
- Education and training programs such as college courses, online learning, local lectures, and personal mentors and tutors
- Veterinary bills for beneficiary's pet

## PROHIBITED DISBURSEMENTS/USE OF TRUST FUNDS

The following are examples of prohibited disbursements (this list is not exhaustive):

- Cash or Beneficiary's Debit card
  - Gift cards are cash equivalents
  - Personal Needs Accounts (PNA) are also cash equivalents
- Reimbursements to the beneficiary
- Gambling
- Alcohol
- Weapons and/or ammunition
- Pornography
- Gifts to others (the trust cannot disburse for wedding, bar or bat mitzvah, quinceanera, graduation, birthday gifts, or donations to charitable organizations)
- For beneficiaries who receive **SSI**, disbursements for rent, condo fees, and food (including restaurants, gas stations, and/or convenience stores) are prohibited. Payment of these items would result in a decrease of the SSI payment.
- For beneficiaries who receive **subsidized housing/Section 8**, disbursements for rent, food, and recurring payments are prohibited. Recurring payments are counted as income and will result in an increase in rent. Examples of recurring payments include rent, condo fees, heat, electric, cable, internet, and/or telephone bills.
- If you are receiving SSI or subsidized housing/Section 8 your Service Coordinator will advise on what can or cannot be paid.
- The Trust should not pay for items or services that are paid by, or eligible for payment by, another source.
- For beneficiaries who reside in nursing homes or residential/group facilities, payment of the Patient Paid Amount or Group Living Environment rent is the responsibility of the beneficiary or his/her representative and is typically paid from the person's Social Security income. Trust funds cannot cover the Patient Paid Amount or Group Living Environment rent.



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## **ADDITIONAL GUIDELINES FOR REQUESTS FOR DISBURSEMENT / REIMBURSEMENT**

- Requests for disbursement/reimbursement are considered based on many factors including:
  - Government rules and regulations
  - A trust beneficiary's current and future assets, income, earning capacity and needs as well as the amount of funds in the beneficiary's account
  - Services and benefits to which the trust beneficiary may be entitled
  - A beneficiary's current and future needs for health, educational, social and other services
- **Because each request is evaluated independently, approval of one request is no guarantee the same or similar request will be approved in the future.**
  - If you have a question about whether an item or service is an appropriate disbursement, consult with your Service Coordinator for pre-approval.
  - If there is a problem with processing a disbursement request, your PLAN Service Coordinator may contact you for additional information.
- Receipts, bills, and invoices must include items and services only for the beneficiary. For example, if you purchase items for yourself and the beneficiary at the same store, you cannot do so in one transaction and need a separate receipt for the items specifically for the beneficiary. If invoices or receipts include items purchased for someone other than the beneficiary, PLAN reserves the right to refuse payment of the disbursement request.
  - **Gift cards and store/merchant credit may not be used as payment.**
- **Submit disbursement requests as soon and as often as possible.**
  - **All disbursement requests for payment or reimbursement must be made within 90 days of the purchase or service.**
- **Disbursements are not allowed after the death of the beneficiary.**
- Reimbursement / disbursement requests are processed and mailed from PLAN within 7-10 business days of receipt.



- Disbursement requests that exceed \$3,000 require review and approval by the Executive Director. Any requests that exceed \$10,000 require additional review and approval by the Board of Directors prior to purchase. These additional reviews may exceed our 7-10 business day response.
- Credit Cards: PLAN is not responsible for late fees, interest, or other additional finance charges for any purchase, service, or reimbursement. It is the responsibility of the account holder to make minimum payments. It is also the responsibility of the account holder to abide by payment due dates. It is your responsibility to pay for any purchases that are not approved.
- As stated herein, if there is a question as to the appropriateness of a purchase, check with the assigned Service Coordinator prior to making purchases. Denied requests for reimbursement are the responsibility of the person making the purchase.
- **For payment to an outside vendor, a [W-9](#) is required to be on file per IRS regulations.**

**Each beneficiary is assigned a Service Coordinator who assists with Trust services and provides guidance around disbursements. For questions about disbursements, please call your Service Coordinator at 888-890-7526.**



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## DISBURSEMENT TYPES & PROCESS

There are three types of disbursements from a PLAN Trust account:

- Disbursement directly to a vendor, service, or provider
- Reimbursement for purchases on behalf of the beneficiary
- Payment of the beneficiary's credit card

**Directly to a vendor, service, or provider** (prior to making a purchase or paying for services):

1. The beneficiary (or someone s/he authorizes) submits a [Disbursement Request Form](#)
2. A detailed written estimate or unpaid invoice for the item or service. **Do not write on the invoice or estimate.** If a note is needed about a receipt, attach it separately. **A W-9 is required per IRS regulations for payments directly to outside vendors.**
3. PLAN reviews the request (and may discuss the request with the beneficiary or authorized representative prior to payment).
  - Once approved, PLAN pays the vendor directly.
  - **It takes 7-10 business days for requests for reimbursement/ disbursement to be processed and mailed from PLAN.**
  - **All disbursement requests for reimbursement must be made within 90 days of purchase or service.**
  - Late fees or interest that accrues on late payments cannot be paid by the Trust.

4. Disbursement requests may be made by:

- a. email to [billing@planofma-ri.org](mailto:billing@planofma-ri.org),
- b. via fax at (617) 795-0589,
- c. or by mail:

[Trust Beneficiary's Name]  
c/o PLAN of Massachusetts and Rhode Island, Inc.  
Two Adams Place, Suite 110  
859 Willard Street  
Quincy, MA 02169

(Massachusetts and Rhode Island requests are processed at the Massachusetts main office.)



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### **Reimbursement for purchases on behalf of the beneficiary**

1. The beneficiary's authorized representative submits a [Disbursement Request Form](#)
2. **Itemized receipts and proof of payment.**
  - i. **Payment by cash:** itemized receipt is all that is required.
  - ii. **Payment by credit card:** itemized receipt and proof of payment.
    - a. **NOTE:** With credit cards at smaller retailers sometimes the proof of payment is not itemized. On those occasions you must ask for a receipt that is itemized.
    - b. **NOTE:** Cash advances, late fees, and other finance charges in connection with credit card transactions as well as minimum payments are the responsibility of the cardholder who is also responsible for payments by the due date.
  - iii. **Payment by check or debit card:** submit a copy of the bank statement that includes:
    1. Cleared check or transaction for debit card
    2. Names of account holders (beneficiary cannot be listed on the account)  
**NOTE:** Other purchases, deposits, balances, and other personal information of the authorized representative may be redacted.
3. Disbursement requests may be made by:
  - i. email to [billing@planofma-ri.org](mailto:billing@planofma-ri.org),
  - ii. via fax at (617) 795-0589,
  - iii. or by mail:  
PLAN of Massachusetts and Rhode Island, Inc.  
Two Adams Place, Suite 110  
859 Willard St.  
Quincy, MA. 02169

(Massachusetts and Rhode Island requests are processed at the Massachusetts main office.)

**Do not write on receipts. If a note is needed about a receipt, attach it separately.**



### **Payment of Beneficiary's Credit Card**

- To set up use of a credit card that PLAN will pay directly, contact your Service Coordinator.
  - Only one credit card may be used for purchases.
  - A copy of the credit card and one statement must be on file with PLAN.
1. Once a credit card is on file, submit receipts as you make purchases.
  2. Complete a [Disbursement Request Form](#)
    - a. In the section, "Make Check Payable to," write the name and address of the credit card company you used to make the purchase(s).
    - b. Attach **itemized receipts and proof of payment** which are required for reimbursement
    - c. Submit disbursement requests by:
      1. email to [billing@planofma-ri.org](mailto:billing@planofma-ri.org),
      2. via fax at (617) 795-0589,
      3. or by mail:  
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**NOTE:** Cash advances, late fees, and other finance charges in connection with credit card transactions as well as minimum payments are the responsibility of the cardholder who is also responsible for payments by the due date.

**No disbursements will be made if itemized receipts and proof of payment are not submitted along with the disbursement request form.**

**Do not write on receipts. If a note is needed about a receipt, attach it separately.**