



CONSORTIUM FOR CITIZENS WITH DISABILITIES

CCD Financial Security Task Force Annual Report for 2016

ABLE Act Improvement Bills

In December of 2014, the Stephen A. Beck Achieving a Better Life Experience (ABLE) became law. This bill gave individuals whose onset of disability occurred before age 26 the ability to save money (up to \$14,000 per year) without losing critical benefits such as SSI and Medicaid. However, the limitation of eligibility to apply for an ABLE account by age was a change from the original bill introduced several years earlier and done without consultation or agreement with the majority of the disability community. As a result, the Task Force's plan for 2016 focused on raising the "age of onset."

The Task Force worked with the lead co-sponsors of the ABLE Act with the purpose of introducing a bill that would advance the Task Force's goal of raising the age to enable people who became disabled after the age of 25 to have an ABLE account. The Task Force also worked on making other important improvements to the ABLE Act.

As a result of these efforts, three bills were introduced:

1. The [ABLE Age Adjustment Act \(S. 2704/HR 4813\)](#) would raise the age limit for ABLE accounts to age 46.
2. The [ABLE Financial Planning Act \(S. 2703/HR 4794\)](#) would allow families to rollover savings in a 529 college savings plan into an ABLE account. Many families save for a child's college education by opening a 529 account, sometimes before their child is even born, only to learn later that their child has a severe disability.
3. The [ABLE to Work Act \(S. 2702/HR 4795\)](#) would allow individuals and their families to save more money in an ABLE account if the beneficiary works and earns income.

These bills did not pass the House and Senate this session.

Special Needs Trust Fairness Act

In December 2016, Congress passed The Special Needs Trust Fairness Act of 2016 as part of the 21st Century Cures Act (P.L. 114-255). This law makes a “technical correction” to Section 1917(d)(4)(A) of the Social Security Act regarding special needs trusts under Medicaid, which are exempt from asset counting and transfer rules.

This law allows non-elderly individuals with disabilities to establish a special needs trust on their own behalf.

FUTURE ACTIVITIES

- The Task Force will work to ensure passage of an amendment to the ABLE program to increase the age of onset of disability for eligibility for ABLE, along with other improvements, possibly as part of comprehensive tax reform
- The Task Force will continue to address public policy issues which could improve the financial security of individuals with disabilities.

CO-CHAIRS IN 2016:

Dara Baldwin, National Disability Rights Network

Marty Ford, The Arc of the United States

Susan Goodman, National Down Syndrome Congress

Sara Meek, Lutheran Services in America

Chris Rodriguez, National Disability Institute