

Special Needs Trusts and ABLE Accounts: How Are They Different?

Presented by The Arc's
Center for Future Planning

What Is a Special Needs Trust and an ABLE Account?

An Overview of Special Needs Trusts

An Overview of ABLE Accounts

[Special Needs Planning Attorneys](#)

Eligibility

ABLE Accounts

- Disabled before age 26
AND
- Have a qualifying disability
 - Receive SSI or SSDI benefits
 - Have a letter from a doctor

Special Needs Trusts

- Anyone with a disability
 - Children and adults
 - All disabilities

Number of Accounts

ABLE Accounts

- Only one account per person
- All money goes in that account

Special Needs Trusts

- Can have one or more special need trusts
 - First-party trust – the person's own money
 - Third-party trust – money that belonged to anyone else like parents or grandparents

Adding Money

ABLE Accounts

- No more than \$15,000 per year
- Total limit set by state: from \$235,000 to \$529,000
- SSI stops when account has more than \$100,000

Special Needs Trusts

- No limit on how much any person adds to a trust
- No limit on how much total money can be in the trust
- SSI and Medicaid not affected when trust is set up properly

What You Can Pay For

ABLE Accounts

- Things a person needs because of their disability
 - Can include basic living expenses like housing and food

Special Needs Trusts

- Things that make a person's life better
 - CANNOT include basic living expenses like housing and food
 - Public benefits may be stopped or reduced if the trust is used for basic living expenses

Decisions About the Money

ABLE Accounts

- Person with a disability owns the account
- Person decides how to spend the money
- Person must understand the rules
- Person can ask for help from people they trust

Special Needs Trusts

- Trustee manages the account
- Trustee approves requests for money from the trust
- Trustee must understand the rules
- Trustee can be a family member, friend, or professional

Where Can I Learn More?

[What to Know About Trusts & ABLE Accounts](#)

[What to Know About Special Needs Trusts & ABLE Accounts](#)

[Should I Use a Special Needs Trust or an ABLE Account?](#)

[Q&A: Special Needs Trusts & ABLE Accounts](#)

[Special Needs Planning Attorneys](#)

Thank you!

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