

Family Empowerment Family Support Center

Coming of Age in Massachusetts

Presented By:

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“A commitment that lasts a lifetime.”

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Introducing Today's Speaker



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Overview

- Legal Emancipation at age 18
- Options for Personal, Financial and Health Care Decision Making
- U.S. Government Benefits
- Transition to Adult Service System
- Q & A

Emancipation

- Presumption of Competence
- Least Restrictive Alternative
- Right of Self-Determination
- Capacity/Maturity
- Decision-Making authority
- Privacy rights
- Supported Decision-Making

Range of Options

- Guardianship (full or limited)
- Conservatorship
- Roger's Guardian
- Trustee
- Durable Power of Attorney
- Health Care Proxy
- Appointment of Advocate
- Representative Payee

U. S. Government Benefits

Supplemental Security Income

- Categorical Eligibility – Key concepts: “Disability” and “Substantial Gainful Activity”
- Financial Eligibility: Income test and resource test
- Income issues: Earnings, child support and unearned income
- Resource issues: Safe harbor options: Pooled income trusts, first party pay-back trusts, and ABLE accounts
- Maximum Monthly Benefit: **\$783** per month for individuals and **\$1,175** for couples (2020)

U.S. Government Benefits

- Social Security
 - Childhood Disability Benefits (also known as Disabled Adult Child Benefits)
 - Based on a parent's social security contributions and becomes available when parent begins receiving social security benefits upon disability or retirement [50% of primary insurance amount (PIA)] or when a parent dies [75% of PIA].
 - Categorical eligibility: "Disabled" before age 22"
 - No resource limitation.
 - No offset due to earned or unearned income.

Health Insurance Coverage

- Medicaid (MassHealth in MA)
 - Automatic eligibility for MassHealth Standard with SSI eligibility.
 - Pays for wide range of health services.
 - Private health insurance remains primary insurance but may be eligible for Premium Assistance.
 - Gateway to some adult services

Health Insurance Coverage

- Medicare
 - Eligibility is established after 24 consecutive months of eligibility for Childhood Disability Benefits.
 - Part A, no cost; Part B, \$144.60/month (2020)
 - Private health insurance remains as primary and MassHealth Standard becomes back-up to Medicare.

Transition to Adult Services

- Special educational entitlement ends at age 22 (“Sped Date”)
- No entitlement to adult services
- Chapter 688
 - What is it?
 - Who is eligible?
 - How does it work?

Department of Developmental Services

- Domicile
- Eligibility
 - Intellectual Disability
 - Developmental Disability (Autism Spectrum Disorder, Prader-Willi Syndrome or Smith-Magenis Syndrome
- MASSCAP – Prioritization for services

Selected Issues

- Adult Family Care Program
- Assignment of Child Support Payments
- ABLE Account Update

Questions/Answers

“A Commitment that Lasts a Lifetime”

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