



Five Events That Require an Immediate Call to Your Special Needs Planner

Once you've gone through the trouble of meeting with a special needs planner and establishing an appropriate special needs plan, you might think that your interaction with your lawyer is over. After all, you've got a plan! But as we all know, plans change, so it's important to stay in close contact with your special needs planner throughout your life. In case you haven't thought of checking in with your special needs planner in a while, here are five events that should trigger an immediate call to your attorney.

Your Family Member with Special Needs Is Turning 18

Once your family member hits the age of majority, you will no longer be able to make a lot of the decisions that you have probably been making for him during his childhood. Your special needs planner can discuss various options to help you through this transition, including the preparation of health care proxies and durable powers of attorney, if your family member is competent, or guardianship and conservatorship if he's not. But in no case should you simply ignore the problem.

You Move to Another State

Although some federal benefit programs like Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI) have national rules, there can be smaller details that apply at the state level. Likewise, there are usually significant variations in how state Medicaid programs are run. Therefore, if you move to another state, you have to speak with a special needs planner who is familiar with local rules and programs, and not just rely on your old plan.

Your Financial Situation Changes

If you were making a lot of money and now you aren't, or vice versa, your special needs plan is probably going to change. Assumptions about how to fund a special needs trust may go out the window. If your income becomes drastically lower, it may be time to consider using life insurance to fund a trust in place of other assets. On the other hand, if you are earning much more, you may have to consider tax planning strategies that you didn't have to worry about before. In either case, a call to your planner is definitely in order.

You Retire, Become Disabled or Pass Away

When the parent of a child who has had a disability that manifested while the child was still young retires, becomes disabled or dies, the child may qualify for benefits on the parent's work record. If you retire or become disabled yourself, call your planner immediately. Obviously, if a person who creates a special needs plan dies, there is going to be a lot of work to do to implement the next stages of that plan.

The Person with Special Needs' Health Changes

Sometimes people who were previously ill become better and don't need a restrictive special needs plan. Often, they get worse and need additional planning. In all cases, if the beneficiary of your special needs plan dies, there will be a lot of work to do, including the potential payoff of government liens and the disposition of trust assets or the amendment of your special needs plan. Once again, if the beneficiary's health changes, your plan is going to have to change too. Your planner can walk you through all of the available options.

For more information about special needs planning in general and special needs trusts in particular, contact Attorney John D'Onofrio today.

As a member of the Academy of Special Needs Planning, John is constantly reviewing new laws and amendments in this area of law as well as attending seminars and continuing education classes relevant to special needs planning and trusts.

Call today to schedule a free initial consultation. Call today, get peace of mind today.

412.928.2068

Attorney John A. D'Onofrio

**D'Onofrio Law Office, P.C.
651 Holiday Drive
Foster Plaza 5, Ste. 400
Pittsburgh, PA 15220**

john@donofriolawoffice.com