

# ATTORNEY ACKNOWLEDGEMENT

*Empowering individuals with disabilities to live their fullest life. John 10:10*



## First Party Pooled Special Needs Trust

Please have the Representative Attorney complete this checklist and submit it with the Joinder Agreement.

*It is not the intent of The Full Life Center to provide legal advice.*

- The Beneficiary of the trust is disabled as defined by the Social Security Administration.
- I have informed my client that a Grantor's Letter will be provided to the Beneficiary's Advocate, as required by IRS Regulations. These documents may have tax consequences to the Beneficiary which should be discussed with a tax preparer.
- There are currently no liens or claims against the trust sub-account funds.
- I have informed my client that certain trusts may be subject to claims for some medical or hospital services under state law.

### Protection of benefits for a client receiving Supplemental Security Income (SSI) and Medicaid

- I have informed my client that in order to protect SSI benefits, the trust does not distribute funds for shelter or food as SSI is intended to pay for these expenses.
- I have informed my client the trust follows the rules regarding SSI and Medicaid in order to maintain government benefits eligibility.
- I am aware of my duty to identify and notify public agencies from whom the Beneficiary receives benefits. I will notify these agencies of the funded trust and forward a copy of the notice to FLC.

### End of life disbursements for a client receiving Medicaid

- I have informed my client that the Beneficiary Advocate should notify FLC and the state Medicaid office as soon as possible upon the death of the Beneficiary. I have advised my client that distributions can only be made for trust-related administrative fees after the Beneficiary's death. The remaining funds will be distributed pursuant to the Joinder Agreement.

*"My purpose is to give life in all its fullness" – John 10:10*

The Full Life Center, Inc.

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**For a Beneficiary 65 years of age or older**

- For Medicaid Long-Term Care Recipients:** My client has been informed of the potential Transfer of Assets Penalty, and based on my advice, has chosen to transfer assets to FLC either because the client’s state does not impose a Transfer of Assets Penalty or due to other unique circumstances.
- For SSI Recipients:** I have informed my client that the Transfer of Assets Penalty would apply unless the Beneficiary is able to demonstrate to SSA that without SSI it would cause an undue hardship (no funds available for food and shelter).

**For a client receiving Section 8 Subsidized Housing (HUD)**

- I have informed my client that a special needs trust may impact eligibility for subsidized housing.

Beneficiary Name: \_\_\_\_\_ Beneficiary Date of Birth: \_\_\_\_\_

Attorney Name: \_\_\_\_\_ Attorney Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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