

1. *Estate planning.* The need to write wills, set up durable powers of attorney and medical directives for your family. It is suggested that the husband and wife split their assets among family members. Take out an insurance policy that would be available for the disabled persons needs when the last parent dies. This should be directed to the special needs trust.

2. *Special needs trust.* A special needs trust should be set-up to provide a safety net beyond Social Security and Medicaid. Special needs trusts, properly designed, don't count as available resources when it comes to determining eligibility for government aid. Once the trust is in place, you should update beneficiary designations on retirement accounts and insurance policies, naming the trust, and not the person with disabilities. Again, if the person has more than \$2,000 in his/her name, he/she may be precluded from receiving benefits. DO NOT FORGET that the Interest accumulates and is counted against them for Social Security.

3. *Guardianship.* Without legal guardianship, parents won't have access to medical records or an automatic say in the persons care after he/she turns 18, something that often catches parents by surprise. In addition by retaining legal guardianship, the parents can protect their loved one from people who don't have his best interests at heart.

4. *Letter of intent.* Draft a guide to your loved ones special needs, including everything that a future guardian would need to know if both parents died, such as "his diagnosis, the testing that has been done, everyone involved in his care plan, food issues, his likes and dislikes."

5. *Health insurance.* The person could be covered under his parents' health insurance, and, as a child whose disability occurred before his 22nd birthday, is eligible for coverage indefinitely as long as his parents are employed. If you are a Federal Government (sometimes State and County Employee) or retired person from these entities, he should be covered under the policy the parent has had for life. You will need to pay the premium (which can be paid for through the Special Needs Trust). The parents should let their human resources offices know that they have a disabled person to make sure he stays covered. Sometimes you need to contact the office periodically sometimes not.

These decisions should be communicated with family members, so they know what the plans are and how they can help.