

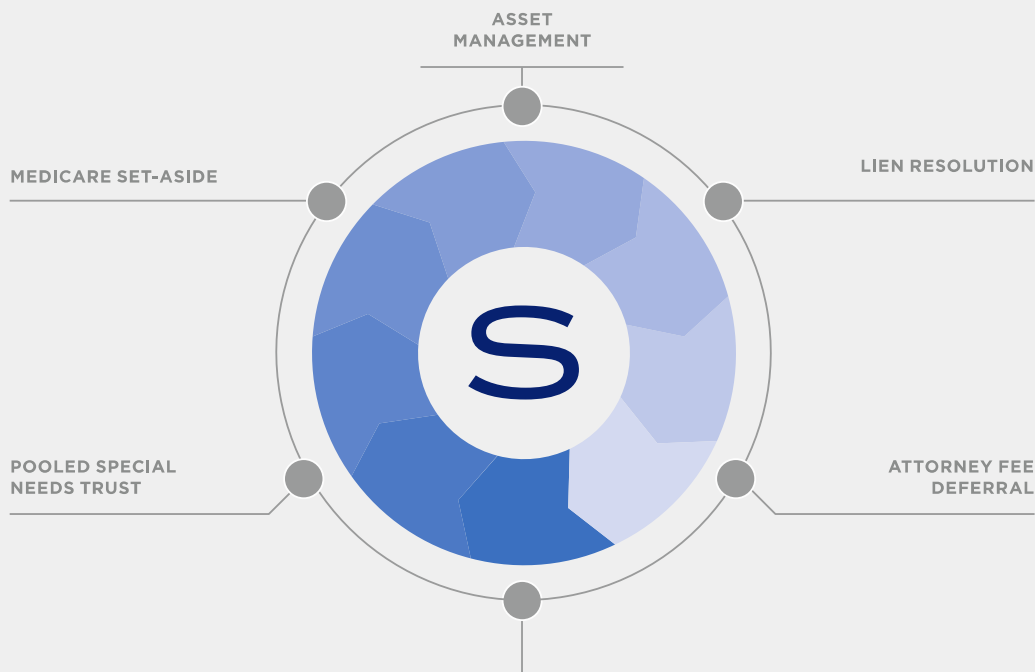
# SYNERGY

SETTLEMENT SERVICES

ALLOWING TRIAL LAWYERS TO FOCUS  
ON WHAT THEY DO BEST®

# SNTs & Needs Based Public Benefits

*For Paul Knopf Bigger*



## SYNERGY

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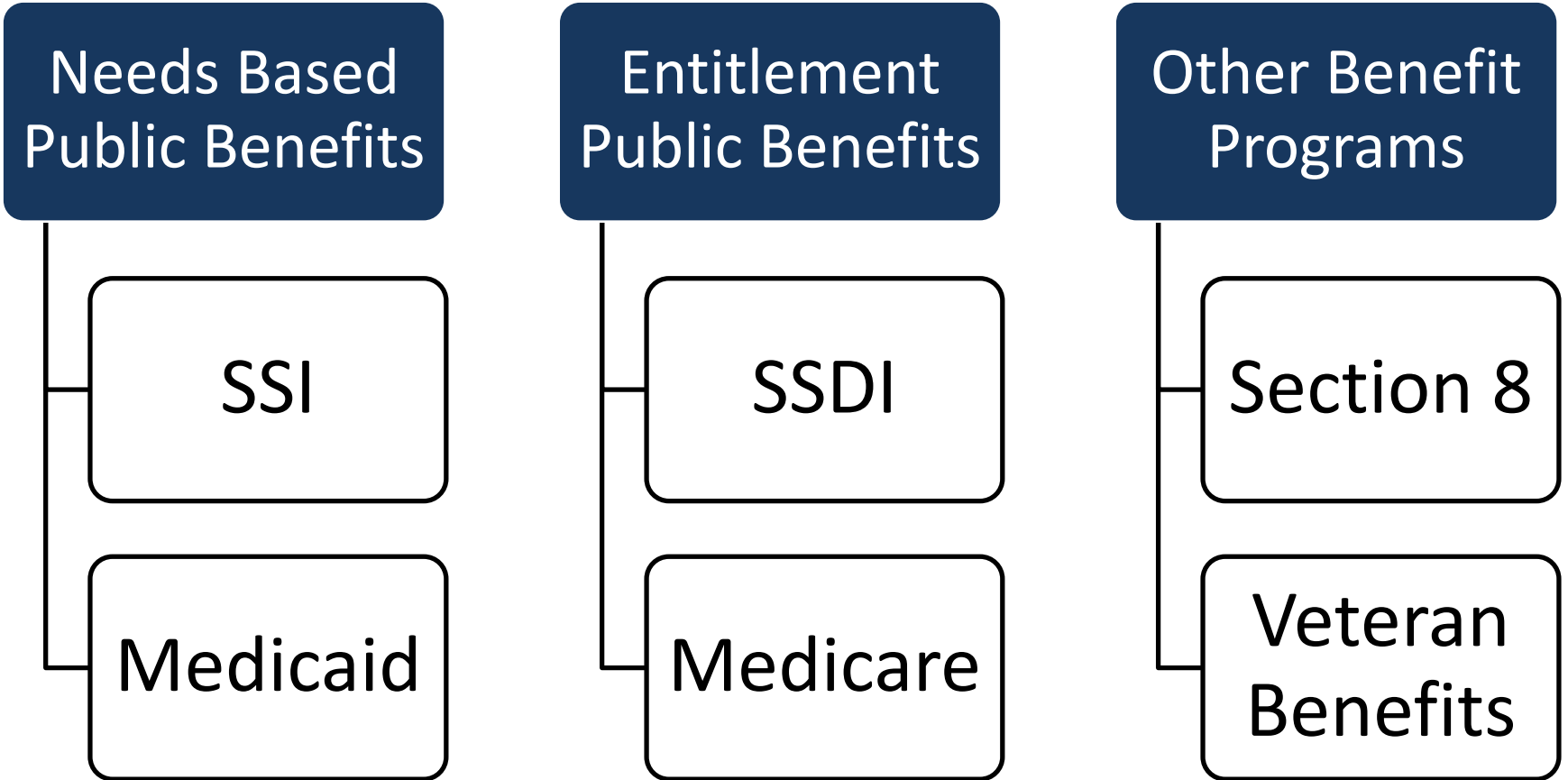
**Presented by: Jason D. Lazarus, J.D., LL.M., MSCC, CSSC**  
**CEO of Synergy Settlement Services**

A blue-tinted background image showing several people in business attire gathered around a table, looking at and pointing to documents. One person is holding a pen over a document. The overall scene suggests a professional meeting or consultation.

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*Public Benefits Overview*

# Types of Public Benefit Programs



A blue-tinted background image showing several people in business attire gathered around a table, reviewing documents. One person is pointing at a document while another holds a pen. The overall scene suggests a professional consultation or meeting.

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Medicaid/SSI Basics  
*Needs Based Benefits*

## *Income and asset sensitive*

SSI: Cash Assistance for Disabled  
\$733/mo. or \$1,100/mo.  
*No quarters requirement unlike SSDI*  
*Asset cap (2k/3k) & income cap*

Medicaid: Basic healthcare coverage

**\$1 of SSI = Medicaid (most states)**



A blue-tinted background image showing several people in business attire gathered around a table, reviewing documents. One person is pointing at a document while another holds a pen, suggesting a collaborative meeting or legal consultation.

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Planning for the Disabled Person  
*Special Needs Trust*

Client is on Medicaid/SSI + Disabled = Consider SNT



- If assets are in the name of a person with a disability then would eliminate eligibility for SSI and Medicaid
  - Counted as income in month of receipt
  - Counted as resource first day of next month
- Loss of SSI generally acceptable, however loss of Medicaid can be devastating

## Primary Types for PI Settlements

- 42 USC 1396p(d)(4)(a) (*stand alone SNT*) – Disabled under 65
- 42 USC 1396p(d)(4)(c) (*Pooled Trust*) - Disabled any age
- 3rd Party (fundraiser, insur. proceeds, testamentary, etc.)

## Advantages:

- Eligibility
- Professional trustee
- Can avoid guardianship and annual reports
- Trust pays for everything except “food & shelter”

## Disadvantages:

- Restricted use
- Sole Benefit
- Medicaid Payback
- Complexity
- Irrevocable

**Be aware of Deeming and Exempt Assets!**

# Pooled Special Needs Trusts

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## *A Great Low Cost Solution for Any Size Settlement*

### **Advantages of Using a Pooled Trust**

Not For Profit Trustee

Low annual fee

No minimum trust deposit

### **Four Requirements for Creation of Pooled Trust**

1. Established by a Non-Profit who acts as trustee
2. Trustee maintains separate accounts for each beneficiary but funds may be pooled
3. Each sub-account (trust), must only be established solely for someone disabled
4. Any funds that remain at death may either be retained by the Non-Profit for charitable purposes or used to reimburse the applicable state Medicaid agency(s)

### **How are pooled trusts different from “stand alone” SNTs?**

- There is no age restriction (stand alone SNT must be under 65)
- Trust beneficiary joins an already established master trust
- No minimums



# POOLED TRUST SERVICES

*Settlement Solutions Simplified*



## POOLED TRUST SERVICES

# Available Trust Solutions:

### ***SSNPT***

*Pooled Special Needs Trust for Medicaid/SSI*

### ***SSNPT MSA***

*Pooled SNT/MSA for Dual Eligible*

### ***SSMSAPT***

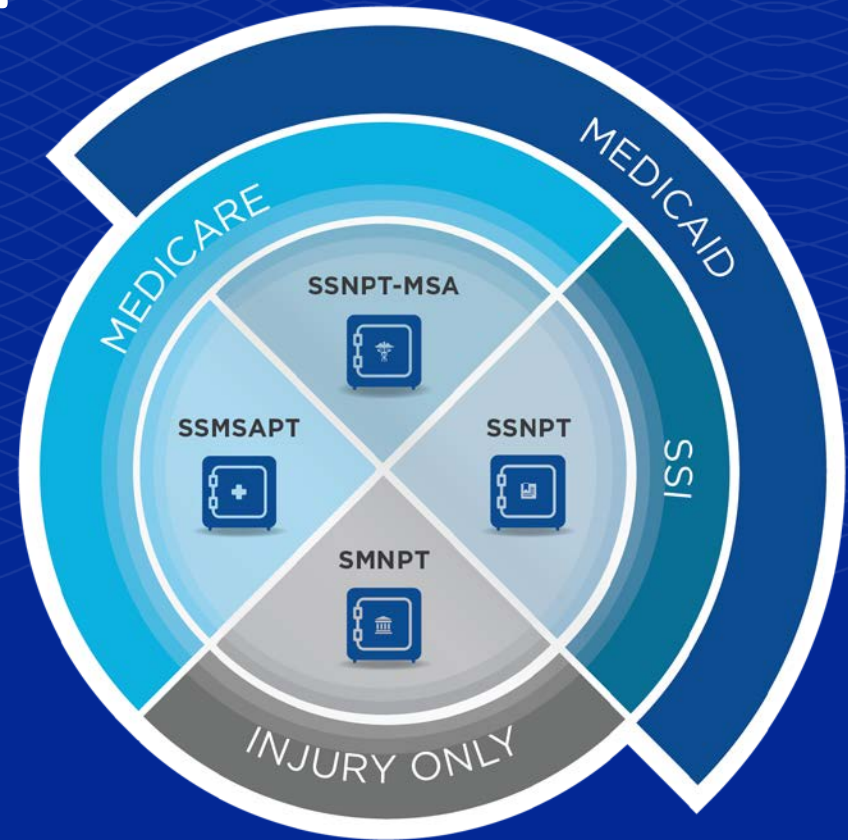
*Pooled MSAT for Professional Admin.*

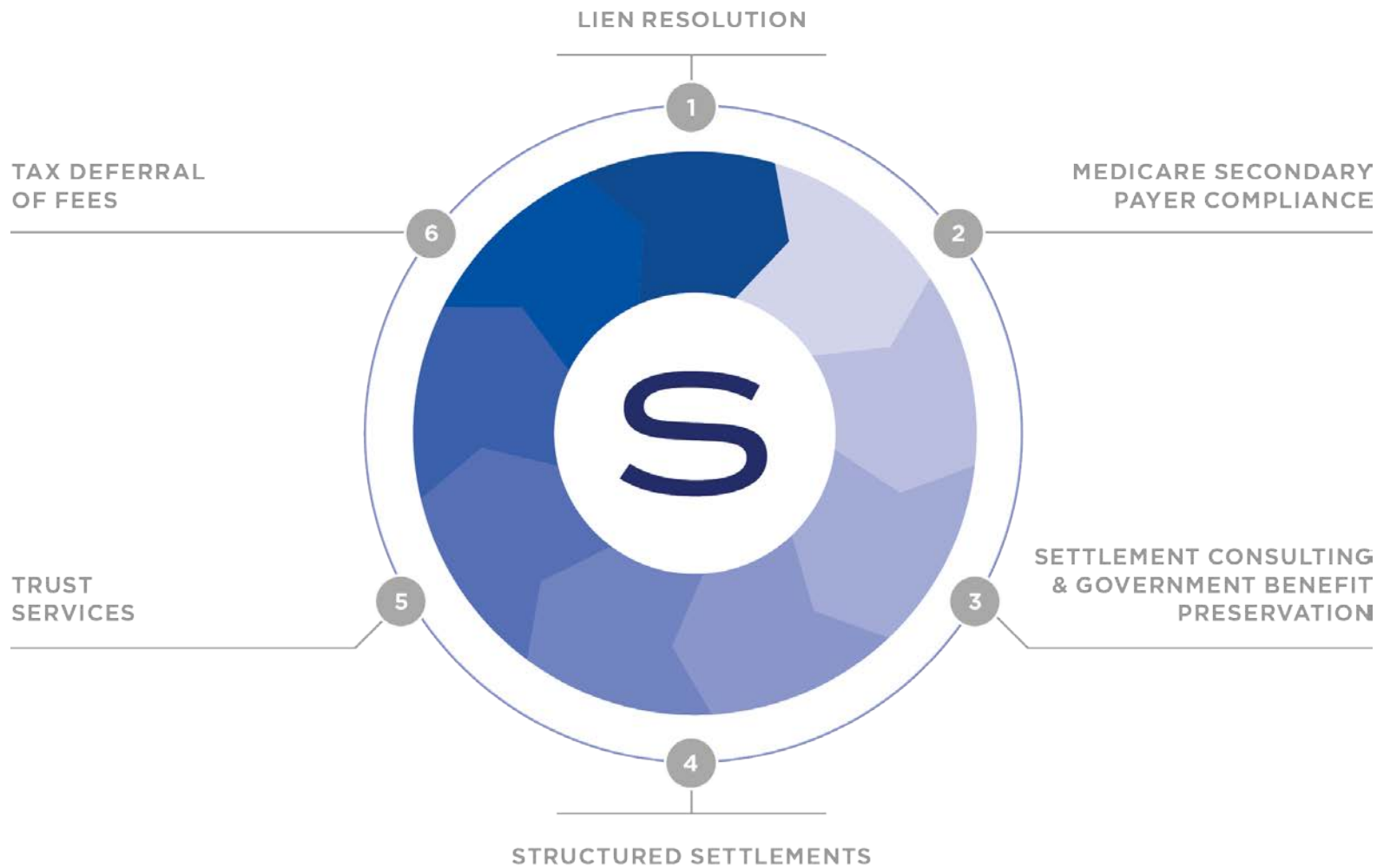
### ***SMNPT***

*Pooled Settlement Trust*

### ***SSNPT 3<sup>rd</sup> Party***

*Pooled Special Needs Trust for assets that aren't the injury victim's own money.*







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