Duncan: Legislation would aid state's disabled

by Sen. Jim Duncan

A great strength of our system of government is the ability and willingness to provide help to those citizens who need special assistance.

OPINION

Senate Bill 50, calling for the establishment of a Self Sufficiency Trust for the disabled, accomplishes these goals without adding a burden to the state treasury, improverishing families or affecting eligibility for government aid.

I introduced this measure last year and I hope to get it through the legislative process next session.

Senate Bill 50 is based on the trust established by legislation in Illinios and proposed by the National Foundation for the Handicappped. Since the action by the Illinois Legislature, five states have passed similar legislation.

Four states, including Alaska, now have legislation pending, and it is under discussion by five other states. The foundation's goal is to work with all 50 states to establish a trust similar to that proposed in SB 50.

The concept was born out of a concern by families about the future of their disabled children. Parents are worried the inheritance they leave to their children will cause a loss of government medical benefits or disability payments.

The Self Sufficiency Trust allows a family to make investments that will fund programs for their child's special needs without affecting eligibility for government assistance.

This program is designed to supplement government services without jeopardizing state and federal aid for the mentally, physicially or developmentally disabled children. An inheritance left to a child and channeled through this program is used to enhance or expand current or future services for the disabled.

Benefits from the trust are not considered as income to the child and thus do not affect eligibility for other services. Services paid for by the trust are meant to provide more than the bare minimum.

The first step in the process is for the family and the nonprofit to outline a "life care plan." By this means, a participant's abilities and needs are assessed and the cost of current and future services is projected.

The family then decides on the amount and kind of services it wants provided and can afford. There is no minimum investment, unlike a private trust which generally requires an investment of $50,000 or more.

Upon the death of a beneficiary, half of the prinicipal from the family investment goes to the "Charitable Trust," and the other half reverts to the family. In addition, this part of the trust is also fueled by contributions from foundations, corporations and private donors.

The primary focus of the program is outside state government, but the Division of Mental and Developmental Disabilities would be responsible for issuing vouchers to pay the claims certified by the private trust for payment.

The funds for that payment would be transferred from the private trust to the state treasury. The intent is that the state provide the administration structure for bill payment without adding to the existing staffing level.

I feel the Self Sufficiency Trust is a great opportunity to provide extra assistance to the disabled.

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