

# 2015 Special Needs Trusts Institute

Special Needs Trusts are more than just a form. Recent court rulings, changes in Social Security regulations and changing MO HealthNet rules are making drafting and administering Special Needs Trusts highly technical.

This program will explore important issues regarding Special Needs Trusts. Visiting speakers include: Kevin Urbatsch, Ron M. Landsman, Leonard Berg, Nancy Larson, Micah Huff and Marti Gurley. MO NAELA member speakers include Martha Brown, Craig Reaves, Mike Weeks and Bill Hubbard.

Sponsored by:



## Hotel Information:

Best Western Plus – The Charles Hotel  
1425 South Fifth Street, St. Charles, MO 63301  
Phone: (636) 946-6936 (Direct)  
888-274-0988 (Toll Free)  
<http://www.bestwesternstl.com>

Group room rate: \$108.00/night  
(King or 2 Queen Beds)

Rate good for nights of May 28-29, 2015

Group Name: MO NAELA

Deadline to book: April 28, 2015

*Shuttle will be provided to Bogey Hills Country Club.*

The Missouri Chapter of the National  
Academy of Elder Law Attorneys  
Presents:

## 2015 Special Needs Trusts Institute

May 29, 2015

**Bogey Hills Country Club**  
**1120 Country Club Drive**  
**St. Charles, MO**



## Program Schedule & Topics

7:30am-8:15am – Registration & Continental Breakfast

8:15-8:30 – Opening Remarks – Welcome – Midwest Trust

8:30-9:45

Third Party vs. First Party Trust Provision Comparisons

*Michael Weeks, CELA, St. Charles*

*William Hubbard, CELA, Kansas City*

A discussion of the different clauses commonly used when drafting First-party and Third-party Special Needs Trusts and the specific provisions that should or should not be in each type of trust.

9:50-10:50

SNT Decision Tree

*Craig C. Reaves, CELA, Kansas City*

An alternate way of thinking about drafting a Special Needs Trust. Mr. Reaves presents a decision tree which outlines all the small decisions that must go into drafting an appropriate Special Needs Trust for your clients.

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*12:05-1:05 – Lunch and Visit Exhibitors*

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11:05-12:05

Affordable Care Act & SNT's

*Kevin Urbatsch, San Francisco, CA*

The changes made by the Affordable Care Act affect many areas of the law and of everyday life. Mr. Urbatsch presents how the Affordable Care Act affects laws that impact the drafting and implementation of Special Needs Trusts.

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*12:05-1:05 – Lunch and Visit Exhibitors*

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1:05-2:05

Case Law Update

*Ron M. Landsman, Rockville, MD*

Updates to the finer points of law affecting Special Needs Trusts through recent decisions nationwide.

2:10-3:10 – Breakout Sessions

Choose which session to attend.

**Breakout Session 1: Illinois Hot Topics in Special Needs and Elder Law**

*Leonard F. Berg, East Alton, IL*

*Nancy R. Larson, Belleville, IL*

Topics include the new IL Health Care Power of Attorney and Small Estate Affidavit; IL statute for presumption of fraud for non-relative caregivers; Sole Benefit SNT with actuarially sound provision; Pooled Trust for person over 65; Life Insurance issues; Changes under new Governor Rauner.

**Breakout Session 2: SNT Administration Issues –**

*Micah Huff, JD, LLM (Tax), St. Louis*

*Marti Gurley, JD, CFP, St. Louis*

Longevity of Special Needs Trusts is an increasing concern given a beneficiary's needs and increasing cost of care. Will discuss Special Needs Trust administration considerations in light of beneficiary's care needs and time horizon.

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*3:10-3:25 – Break*

*Visit Exhibitors, Drawing to follow*

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3:25-4:25

POMS Update & Comparability

*Martha C. Brown, CELA, St. Louis*

This session will delve into the various Social Security program rules that affect how Social Security, Medicaid (MO HealthNet) and other government programs evaluate Special Needs Trusts to determine if the trust affects the recipient's eligibility for that government benefit. There will also be a discussion of the comparability doctrine which affects how different government agencies review Special Needs Trusts. This session will be helpful to the practitioner that is drafting SNT's that may be challenged by government agencies.

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**4:25-4:35 – Wrap up and Program Concludes**

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*Please join us for cocktail hour in the lounge at the Bogey Hills Country Club immediately following the program.*

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**Continuing Education Requested:**

7.5 hours

MO Bar CLE, KS Bar CLE and IL Bar CLE