

SPECIAL NEEDS PLANNING



Consolidated
Planning Group

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Upcoming

Organizing Special Education Paperwork

Jim Wright from Partner's Resource Network will join me to discuss:

- Why organize?
- Methods to organize.
- How organization affects parental and student participation in the IEP process.

Register with the QR below.



My next webinar will be in partnership with
Partners Resource Network

March 20, 2024

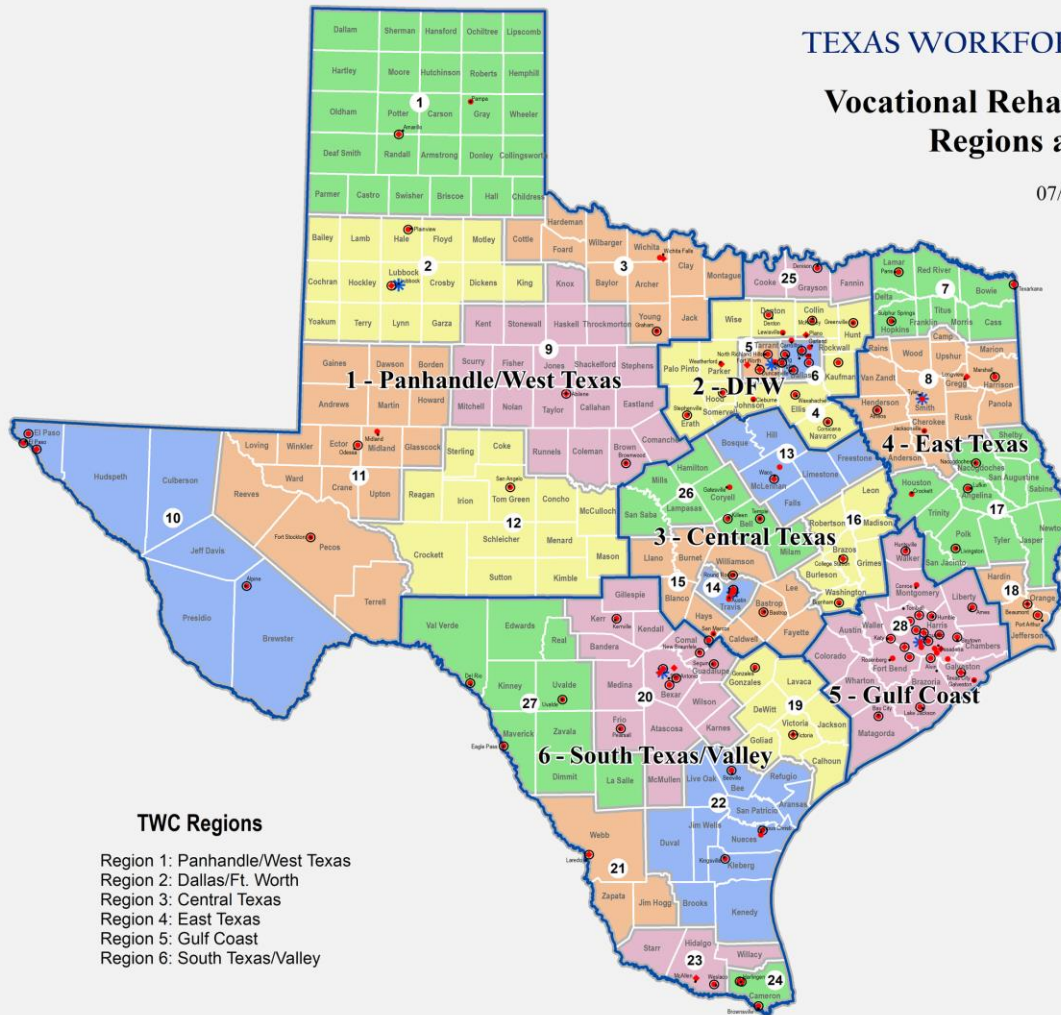
4:30-5:30 PM CST

VR & Workforce Offices

TEXAS WORKFORCE COMMISSION

Vocational Rehabilitation Division Regions and Offices

07/29/2021



- City
- ◆ VR Field Headquarters
- VR Field Office
- Integrated with WFS
- ★ VR Regional Office
- ▭ County
- ▭ TWC Region
- ▭ LWDA (with color)

Local Workforce Development Areas

- | | |
|-----------------------|----------------------------|
| 1 Panhandle | 15 Rural Capital |
| 2 South Plains | 16 Brazos Valley |
| 3 North Texas | 17 Deep East Texas |
| 4 North Central Texas | 18 Southeast Texas |
| 5 Tarrant County | 19 Golden Crescent |
| 6 Greater Dallas | 20 Alamo |
| 7 Northeast Texas | 21 South Texas |
| 8 East Texas | 22 Coastal Bend |
| 9 West Central Texas | 23 Lower Rio Grande Valley |
| 10 Borderplex | 24 Cameron County |
| 11 Permian Basin | 25 Tomasa |
| 12 Concho Valley | 26 Central Texas |
| 13 Heart of Texas | 27 Middle Rio Grande |
| 14 Capital Area | 28 Gulf Coast |

TWC Regions

- Region 1: Panhandle/West Texas
- Region 2: Dallas/Ft. Worth
- Region 3: Central Texas
- Region 4: East Texas
- Region 5: Gulf Coast
- Region 6: South Texas/Valley

**TWC VR
Locator**



**Workforce
Solutions
Board
Websites**



Vocational Rehabilitation

How do I contact VR?

- Contact local VR office (See previous slide.)
- Call the TWS-VRS statewide contact center at 512-936-6400
- Online self-referral “Start My VR” located: [Bit.ly/StartMyVR](https://bit.ly/StartMyVR)
- Find your local VR Office at:
<https://stats.twc.texas.gov/views/VRProviderLocator/ProviderbyZipCode?%3Aembed=y&%3AisGuestRedirectFromVizportal=y>
- Email us at: VR.office.locator@twc.texas.gov

Texoma Workforce Centers

**Employment
Specialists**

**Target
Occupation
Help**

**Child
Care
Assistance**

Career Planning & Job Services

**Resume
Writing**

**Accessible
Workstations**

Printers

Follow Up Resources

VR for Students & Families
Vocational Rehabilitation Services Resources for students and their families.

Vocational Rehabilitation Services Transition Students

Speakers

Adult VR

Webinars & Resources

Endorsements

April Martin Student HireAbility Navigator Workforce Solutions Texoma (Grayson, Cooke, Fannin Counties)
Phone: 903.957.7408
Web: workforcesolutionstexoma.com
Email: april.martin@wfstexoma.org

SEAL (SUMMER EARN & LEARN) 2024
PAID STUDENT SUMMER INTERNSHIP
Questions & Answers
Why?
Students with a disability gain:
• Valuable Job Skills
• Earn Pay- \$15 per hour
• Gain Professional Experience
• Learn about local industry and opportunities
• Explore career interests
Who?
Students with a disability (504 or IEP) ages 14-22
PDF
SEAL (Summer Earn & Learn) Flyer 1.10.24

TEXAS WORKFORCE SOLUTIONS - VOCATIONAL REHABILITATION SERVICES
PDF
vocational-rehabilitation-services-twc

TOP 5 LEGAL DOCUMENTS NEEDED FOR SPECIAL NEEDS PLANNING
with Special Needs Attorney Christina Leshar
TUES., FEB. 13, 2024, AT 12:00 NOON
WEBINAR ID: 834 8663 4512
PDF
Listening to this webinar, we will hear from Special Needs Attorney Christina Leshar as
Top 5 Documents QR

Science, Technology, Engineering & Math
Can you imagine YOURSELF here?
PDF
STEM Endorsement

TEXAS WORKFORCE SOLUTIONS - VOCATIONAL REHABILITATION SERVICES
PDF
transition-services-twc

SERVICIOS DE REHABILITACIÓN - VOCACIONAL SOLUCIONES DE LA FUERZA LABORAL DE TEXAS
PDF
vocational-rehabilitation-services-spanish-twc

PRESERVING BENEFITS ENSURING QUALITY OF LIFE ABLE ACCOUNTS
March 14, 2024 6-7 PM
STONEWATER SpecialCare
Join us as we partner with:
Cody Sutton, Special Needs Financial Planner
to learn more about how to use this financial tool to ensure quality of life for a loved one with special needs. Able accounts may protect the finances and benefits of a loved one
PDF
Able Accounts 3.14.24

Public Service
Can you imagine YOURSELF here?
PDF
PubService Endorsement

WHAT COMES AFTER HIGH SCHOOL?
Are you a parent of a student with disabilities between 14 and 22 years of age?
Do you and your young adult have a plan for what they'll do after high school?
Texas Workforce Solutions Vocational
PDF

TEXAS WORKFORCE SOLUTIONS - VOCATIONAL REHABILITATION SERVICES
PDF

Organized Paperwork Peace of Mind Informed Decisions
March 20, 2024 4:30-5:30 PM
Join us as we partner with:
Jim Wright, FRN, Region 10 Coordinator
to learn how organizing special education paperwork in a notebook can help organize the vital documents needed, provide evidence to request, and how to effectively organize paperwork so that we can find the information we need to fully participate and make informed decisions for our children.
PDF

Multidisciplinary Studies
Can you imagine YOURSELF here?
PDF
Explore your future with THE FOUNDATION HIGH SCHOOL PROGRAM

Padlet



<https://padlet.com/aprilmartin3/vr-for-students-families-jf21i7wtd4zvie9o>



WHO WE ARE



Consolidated
Planning Group

Consolidated Planning Group, Inc. is a holistic Special Needs Financial Planning Firm in Sugar Land, TX serving families across the U.S.

30 years experience with Insurance & Financial Services. MDRT- Top of the Table. Fully licensed Insurance & Securities. Members of the Special Needs Planning Academy and Nationally certified as Social Security Advisors.

Advisory/Consulting Firm

SPECIAL NEEDS PLANNING

- ✓ **Protection Plans**
- ✓ **Lifetime Care**
- ✓ **Transition Planning**
- ✓ **ABLE Accounts**
- ✓ **Advocacy**

Fewer than one-tenth of a percent of all financial advisors in the U.S. focus on Special Needs Planning.





Special Needs Planning

Who will care for your child when you no longer can?

- ✓ Developing a future care plan now will answer these questions
- ✓ Consider post High School educational and vocational options.
- ✓ Consider touring transition programs, partial-care and full-care residential communities. Waiting lists can be quite long, so plan early!
- ✓ Make careful consideration before naming siblings as a future caregiver.



Top 5 Special Needs Documents

LAW OFFICE OF CHRISTINA LESHER, PC

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FACEBOOK: THE LAW OFFICE OF
CHRISTINA LESHER

TWITTER: @LESHERELDERLAW

Top 5 Special Needs Documents

- Will or Revocable Trust (or both)
- 3rd party Supplemental Needs Trust
- 1st party Supplemental Needs Trust
- Documents for incapacity:
 - Financial power of attorney
 - Medical power of attorney
 - HIPAA release
 - Declaration of Guardian
 - Appointment of Agent for Health Care for Minor Children
 - DNR/ Directive to Physicians
- Beneficiary designation updates

Will or Revocable Trust or both

- Every parent or caregiver needs a Will or Revocable Trust
- Probate estate vs non- probate assets
 - Life insurance and retirement accounts typically non probate
 - House- frequently a probate asset
- Will- effective at death
 - Can contain guardian appointments
 - Can contain 3rd party Supplemental Needs Trust
 - Can contain trusts for siblings/family that are minors
- Revocable trust- effective during your life
 - Can contain a 3rd party Supplemental Needs Trust
 - Can contain trusts for siblings/family that are minors
 - Some assets are placed into the trust (not IRAs or life insurance) during your lifetime
 - Good idea if you want a corporate trustee, have out of state property or mineral interest, or want a smoother transition at your incapacity or death
 - Still need will- "pour over will"- of assets are accidentally not placed in trust
- For Will or Trust- need to carefully review beneficiary designations

Why do we need Supplemental Needs Trusts?

- Many Medicaid programs restrict the amount of assets the Medicaid beneficiary can have
- There are over 109 Medicaid programs, each have their own income, asset, transfer policy, and medical/disability requirement(s)
- Supplemental Needs Trust allow you to give or leave assets and the assets won't "count"
- Medicaid assets
 - Countable- cash, bank accounts, 2nd car, 2nd home
 - Exempt- worth \$0- homestead, personal items, car, clothing
 - Most Medicaid programs cap the countable assets of the beneficiary at \$2,000
- Allows for the assets to be protected from bad actors, the beneficiary (child) and from the creditors of the Trustee
 - Don't advise giving assets to a family member outright and trust they will do the right thing, concerns: death, divorce, creditors, trust issues.

Third Party Supplemental Needs Trust

- Can be established in a Will or in a Revocable Trust or as a Separate document
- Can be established by any person using funds owned by a 3rd party (not the assets of the beneficiary)
- The Trustee can be any person or entity (other than the beneficiary)
- No payback to the state of Texas
- Can name alternate beneficiaries after the initial beneficiary (child) dies
- Reviewed with less scrutiny by SS than 1st party Supplemental Needs Trusts

First Party Supplemental Needs Trust

- The person (called the Grantor) who establishes the trust must be parent, grandparent, guardian or court order, or by the beneficiary
- The Trustee can be any person or entity (other than the beneficiary)
- Beneficiary funds (mostly) are used to fund the trust
- Needed if Medicaid beneficiary receives assets outright in their own name
- Needed to maintain benefits for SSI if child support causes an income issue
- Distributions must be for the sole benefit of the beneficiary (child)
- Assets must be placed by the 65th birthday of the beneficiary
- At death of beneficiary, remaining assets must go to repay Medicaid
- Can name back up beneficiaries

Documents for incapacity for you and your child

- Even if you are married, you need for you
- Financial power of attorney- send to financial institutions for pre-approval (esp. IRAs)
- Medical power of attorney
- HIPAA release
- Directive to Physicians/ DNR
- Appointment for Guardian (of yourself and child)
- Appointment of Health Care Agent for Minor Child
- Maybe: an appointment for designation of remains, medical study for body or organ donation

What about guardianship?

- Can do anytime after 18 birthday
- Guardianship transition- no smooth transition
- If the school requires it... what about educational POA
- Guardian (of the person) or (person and estate)
 - Court requirements, annual report/ annual accounting
- Very hard to remove (called restoration)
- Legal proceeding lawsuit
- Expensive
- Requires ad litem during the application period
- Requires annual review
- Court approval must be obtained to move ward, make financial decisions, etc.
- Financial power of attorney, medical power of attorney, HIPAA
- Supported Decision Making- There are three parts of a supported decision-making process:
 1. Help your child get the information they need to make a choice.
 2. Help your child think through all the parts of their choice and its impact.
 3. Help them talk to or work with the people who need to know what choice they've made. (From Navigate Life Texas)

Updating beneficiary designations

- Beneficiary designations will trump the will- spreadsheet
- If your child receives assets outright, it may cause a loss of eligibility for Medicaid due to excess resources (use 1st SNT as a “oops” trust” or maybe ABLE account)
- Careful review of the beneficiary designation should be made with financial advisor, attorney and tax advisor
- Get written confirmation back from financial institution that beneficiary designation has been updated

Important estate planning decisions

- **Who is the Trustee?: time, talent, and trustworthy.**
- **What about-**
 - **A sibling serving as trustee?**
 - **A corporate trustee? Required min. amount**
 - **Funding**
 - **How to divide your estate- what is fair?**
 - **Letter of intent (for medical and instructions to trustee)**
- **Be sure the people you appoint know they are appointed**
- **Review your assets and double-check beneficiary designations**
- **Updating your documents-**
 - **At death or divorce or job change**
 - **Once a year**
 - **Check and make sure the people you appoint are still willing and able to serve**

Thank you!

See us at:

www.lawlesher.com

713-529-5900

Facebook: The Law Office of
Christina Lesher

Twitter: @LesherElderlaw

Things to keep on your radar...

- How to develop a comprehensive Special Needs Care Plan
- Future Care Cost Estimates
- Texas Waivers - Interest Lists
- SSI & SSDI - Understanding the differences and knowing when to apply
- ABLE Accounts
- Beneficiary Designations
- Special Needs Trusts - How to fund them (Note: Child Support post 18 redirected to a First Party SNT)
- Start touring Residential Living Communities - waiting lists can be long
- Consider Guardianship, Alternatives to Guardianship, POA, HCPOA, and Supported Decision-Making Agreement (Guardianship process can begin 6 months before turning 18)
- Post High School Education Options





Consolidated Planning Group

**Click the link for our
upcoming webinars**

[Upcoming
Webinars](#)

Meet the team!



Allison Schaberg
Owner/Advisor



Jeff Schaberg
Owner/Advisor



Michelle Morris
Advisor



Andrew Morris
Advisor



Andrew Jewesak
Operations



Sarah Smithey
Operations



Meredith Haynes
Marketing Director



Madi Smith
Operations



Sarah Sohail
Operations

Schedule your free consultation

1. Open the camera app on your phone
2. Hover over QR code
3. Click link!

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