

**HOUSE . . . . . No. 2074**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kate Hogan*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act preserve special needs trusts for disabled seniors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>1/20/2017</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/3/2017</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/3/2017</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	
<i>Daniel Cahill</i>	<i>10th Essex</i>	
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	
<i>David M. Rogers</i>	<i>24th Middlesex</i>	
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	
<i>Jay R. Kaufman</i>	<i>15th Middlesex</i>	
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	

<i>Claire D. Cronin</i>	<i>11th Plymouth</i>	
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>	
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	
<i>Michael O. Moore</i>	<i>Second Worcester</i>	
<i>Kay Khan</i>	<i>11th Middlesex</i>	
<i>James J. O'Day</i>	<i>14th Worcester</i>	
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	
<i>John H. Rogers</i>	<i>12th Norfolk</i>	
<i>Mike Connolly</i>	<i>26th Middlesex</i>	

**HOUSE . . . . . No. 2074**

By Ms. Hogan of Stow, a petition (accompanied by bill, House, No. 2074) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid. Elder Affairs.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act preserve special needs trusts for disabled seniors.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1: Section 28 of chapter 118E of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by adding at the end thereof the following paragraph:—

3 A transfer of resources to a special needs trust that conforms to 42 USC §1396p (d)(4)(C)  
4 and established solely for the benefit of a disabled individual of any age shall not be treated as a  
5 disposal of resources for less than fair market value.