

HOUSE No. 1202

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 to preserve special needs trusts for disabled seniors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>1/18/2023</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/27/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/14/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/14/2023</i>
<i>William M. Straus</i>	<i>10th Bristol</i>	<i>2/14/2023</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>2/14/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/27/2023</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/27/2023</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>2/27/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>2/27/2023</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/27/2023</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>2/27/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/27/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/27/2023</i>
<i>Rodney M. Elliott</i>	<i>16th Middlesex</i>	<i>6/21/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>6/21/2023</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>6/21/2023</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>6/21/2023</i>

<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>6/21/2023</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>6/21/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>6/21/2023</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>6/21/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>6/21/2023</i>
<i>Jennifer Balinsky Armini</i>	<i>8th Essex</i>	<i>6/21/2023</i>

HOUSE No. 1202

By Representative Hogan of Stow, a petition (accompanied by bill, House, No. 1202) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid. Health Care Financing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4792 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act to 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 28 of chapter 118E of the General Laws, as appearing in the 2020 Official
2 Edition, is hereby amended by adding the following paragraph:-

3 The division shall consider a transfer of assets by an individual age 65 or older or a
4 transfer made for the sole benefit of an individual age 65 or older into a trust pursuant to 42
5 U.S.C. 1396p(d)(4)(C), established for the sole benefit of said individual, to be a disposal of
6 resources for fair market value, to the extent that such resources shall be available, under any
7 circumstances, to be used by the trustee to provide goods and services to the individual, or to
8 reimburse such costs, at fair market value.