



Newsletter

Keeping Our New Mexico Families Informed

May 2020

Myths About ABLE Accounts Debunked

By the ABLE National Resource Center

Myth: An individual must be receiving Social Security disability benefits to qualify for an ABLE account.

Fact: The ABLE Act limits eligibility to individuals with disabilities with an age of onset of disability before turning 26 years of age. If an individual meets this criterion and receives benefits through Supplemental Security Income (SSI) and/or Social Security Disability Insurance (SSDI) programs, they are automatically eligible to

establish an ABLE account. If they do not receive these benefits, but still meet the age of onset of disability, they would still be eligible to open an ABLE account if they have a “disability certification” signed by a licensed physician confirming that they meet Social Security’s definition and medical criteria regarding significant functional limitations.

member, a friend, or an employer—may contribute to an ABLE account on behalf of the beneficiary. The term “individual” also includes a trust (i.e., Special Needs Trust or Pooled Income Trust), estate, partnership, association, company or corporation. Funds may also be rolled over from a 529 college savings account into an ABLE account.

ABLE New Mexico Presentation Available

Do you know a person or an organization who would be interested in an ABLE New Mexico presentation?

Contact **Denise V. Balderas**, ABLE New Mexico Coordinator, at denise.balderas@state.nm.us or (505) 955-1151 for more information.

Myth: An individual must be under the age of 26 in order to have an ABLE account.

Fact: An individual does not need to be under the age of 26 to establish an ABLE account. An individual of any age may open an ABLE account, as long as the onset of disability was before the individual’s 26th birthday.

Myth: Earnings or other income contributed by a beneficiary are not counted by means-tested benefit programs.

Fact: There are no changes in the way means-tested benefit programs count earned or unearned income deposited into an ABLE account. An ABLE account is not a way to exclude income such as earnings, child support, pensions, retirement benefits, veteran’s benefits, alimony, or worker’s compensation. It is a way to increase assets/resources. Direct deposit does not avoid income counting rules.

Myth: The only individual who can deposit money into the ABLE account is the individual with a disability (account owner).

Fact: The individual with a disability or any third-party individual—such as a family

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Myth: Once my ABLÉ account exceeds \$2,000 I lose my eligibility for SSI benefits and Medicaid.

Fact: The ABLÉ Act states that funds in an ABLÉ account will not affect eligibility for federally funded, means-tested benefits such as SSI and Medicaid. When the ABLÉ account balance over \$100,000 is combined with other resources and exceeds the SSI resource limit, SSI payments are suspended but Medicaid continues. Payments may be reinstated when resources fall below the SSI resource limit.



Myth: If an individual has a Special Needs Trust or participates in a Pooled Income Trust, there is no need or benefit to setting up an ABLÉ account.

Fact: While the tools used for financial planning can be different from one beneficiary to another, ABLÉ accounts offer various options, including checking account and debit card options. These may be more flexible and accessible than other types of trusts and savings accounts. An ABLÉ account may also provide more choice and control for the beneficiary and family. The cost of establishing an

ABLE account is likely to be considerably less than either a Special Needs Trust or Pooled Income Trust. With an ABLÉ account, account owners have the ability to make choices and control their funds as circumstances change. For many families, the ABLÉ account is a significant and viable option in addition to, rather than instead of, a trust.



Myth: In all circumstances, the account must pay Medicaid the remaining balance upon the death of the beneficiary.

Fact: When an individual dies, funds remaining in the ABLÉ account after the payment of outstanding Qualified Disability Expenses (which may include funeral and burial expenses) may be used to reimburse the state for Medicaid-related services. The amount of any Medicaid payback is calculated based on amounts paid by Medicaid after the creation of the ABLÉ account and excludes amounts paid by the beneficiary as premiums to a Medicaid buy-in program. Several states have passed state laws that would prohibit this Medicaid payback provision. When enrolling, we encourage you to ask about these laws. Remaining ABLÉ funds are payable to the designated heir under the estate. ✚

Important Phone Numbers

- New Mexico Department of Health Coronavirus Hotline: 1-833-551-0519
- State of New Mexico Coronavirus Non-Medical Issues and Questions: 1-833-551-0518
- UNM Mental Health: 505-272-2800
- Alcoholics Anonymous: 505-266-1900
- AGORA NM Crisis Center: 505-277-3013
- Domestic Violence Hotline: 1-800-773-3645
- Child Abuse Hotline: 505-841-6100
- Adult Protective Services: 1-866-654-3219 or 1-505-476-4912
- City of Albuquerque Senior Information Line: 505-764-6400
- New Mexico Crisis and Access Line: 1-855-662-7474
- Report Child Abuse: 1-855-333-SAFE (7233)

Great Article!

The National Disability Institute (NDI) Center for Disability-Inclusive Community Development (CDICD) has written a great article: Promoting Financial Health and Resiliency for People With Disabilities and Their Families During the COVID-19 Pandemic. Click on the link below to read it:

<https://www.nationaldisabilityinstitute.org/wp-content/uploads/2020/03/financial-resiliency-tips.pdf>

**ABLE New Mexico Now Has 422 Active Accounts!
Go, New Mexico!**

Notes and Resources from Financial Stability for People with Disabilities in Times of Crisis: Virtual Town Hall

Many great resources were shared during the town hall on April 28, 2020. Here are some for you to use yourself and to share. They are grouped by the speaker who provided them. You can watch the entire town hall via this link: <https://vimeo.com/413177918/ffa6094d35>.



From Gina Vincent, Federal Deposit Insurance Corporation (FDIC)

- For all COVID-19 related hardship situations and current information, visit: <https://www.newmexico.gov/>
- For information about consumer financial issues, financial scams and fraud, and how to open a bank account online to quickly access stimulus and benefits checks, visit: <https://www.fdic.gov/coronavirus/>
- To join our Financial Stability for All Network, email Gina at gvincent@fdic.gov. This network was formed more than two years ago to address financial inclusion and stability for people with disabilities in New Mexico. The network brings together leaders in government, the financial services sector,

the disability and asset-building communities, and private companies to discuss strategies for improving financial access for individuals across the spectrum of disabilities. The target audience includes professionals who work with people with disabilities and their advocates/caregivers.

- Community Reinvestment Act (CRA) webinar opportunity: On Thursday, May 14, 2020, from 1 pm to 2:30 pm Mountain Time join the Center for Disability—Inclusive Community Development (CDICD) for a conversation with financial regulators from the FDIC, the Office of the Comptroller of the Currency (OCC), and the Federal Reserve Bank of Atlanta on what financial service providers, community development organizations, and disability service providers can do together to meet the needs of people with disabilities during and after the COVID-19 pandemic. Participants will present an overview of CRA consideration for activities in response to COVID-19 and discuss examples of activities for communities to consider. Register at: https://us02web.zoom.us/webinar/register/WN_clrBuQ9jRvy87Fowbq5Zkg



From Adrienne Smith, New Mexico Caregivers Coalition

Financial Capability Online Workshop: When COVID-19 passes, what's next? Grow your financial knowledge through this 5-week online workshop that will provide teams of persons with intellectual or developmental disabilities and their caregivers (paid or family) with long-term skills needed to gain independent financial stability and capability. Learning objectives include:

- Spending and Saving Habits
- Money and Banking Basics
- Money and Identity Safety
- Financial Safety

The workshop begins Tuesday, May 12, 2020. Spaces are limited, so pre-registration is required. [Click here to register](#). Registrants need a computer or smartphone with camera and Zoom App capability. [To view the flyer, click here](#).

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Parents Reaching Out

From Naomi Sandweiss, Executive Director for Parents Reaching Out

- Upcoming workshops using Zoom:

Home- and Community-Based Waivers: Tuesday, May 12, 2020, 11 am to 12 noon

Healthcare Transition and Supported Decisionmaking:

Wednesday, May 20, 2020, 11 am to 12 noon

Please register by emailing Cathy Salazar at csalazar@parentsreachingout.org with your name, workshop and dates. A Zoom link will be sent to your email the Monday before the workshop.

We have other workshops on education and virtual support groups. Please visit the website at www.parentsreachingout.org for info on those.

- The Developmental Disabilities Planning Council (DDPC) is preparing food boxes and organizing deliveries in conjunction with Roadrunner Food Bank in the Albuquerque metro area. Call 505-841-4519.
- Emergency Child Care Grants are available to

assist with the unexpected hardship of school closures due to COVID-19. The New Mexico Caregivers Coalition is offering immediate Caregiver Emergency Child Care Grants to New Mexico's caregivers and home care workers who have a young child/children (aged 0-12) in child care settings. Eligibility:

- Person who works as a home care worker and has young child/children (0-12) in child care settings.
- Applications must be accompanied by proof of payment for child care service(s) such as copy of receipt dated March 9, 2020, or later from the provider.
- Child care providers recognized under emergency New Mexico Public Health Order(s) may apply.
- The grant amount is \$100.
- Applicant may apply once each month beginning March 20, 2020 (limit 3 per person).
- A new application must be submitted each month. (If you applied for a grant in March, you are eligible to apply again in April.)

Applications may be submitted via fax to (505) 393-5101, emailed to info@nmdcc.org, or mailed to P.O. Box 297, Bernalillo, NM 87004. [Download the application here.](#)

- The New Mexico Caregivers Coalition (NMCC) is pre-qualifying its members for individual financial grants through the Coronavirus Care Fund. The fund, established by the National Domestic Workers Alliance (NDWA), will grant immediate financial aid to caregivers who are members of our organization. Caregivers who have previously attended a formal training of NMCC are eligible to apply. This includes home care workers, personal care attendants, home health aides, nursing attendants, community health workers/representatives (CHWs and CHRs), or family caregivers. Currently the Coronavirus Care Fund is only taking applications from first-time applicants. Start by applying at <https://www.surveymonkey.com/r/7BYDZHK>. Limit one application per person. To learn if you qualify for a \$400 grant, first check your eligibility with NMCC. You will receive a unique, one-time code that you will use to complete your grant request with NDWA.
- There are two national partners that NMCC works with and together they have created a COVID-19 training for providers, workers, and caregivers: <https://covidcert.nextstep.careers/>. We have caregivers who have already

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completed this 2-hour training and attest to its quality and relevance.



From Karen Wiley, New Mexico Division of Vocational Rehabilitation

- Nobody will lose Medicaid during the crisis.
- Social Security Offices remain closed.
- If working, recipients still need to report to Social Security.
- Even though people cannot be evicted during the crisis, they'll still need to pay rent and mortgages at some point.
- Stimulus checks will not count as income under SSI or SSDI. Recipients will have one year to spend their money.
- If applying for unemployment, it is considered unearned income. SSI will be reduced by the amount of income.
- For essential workers, hazard pay is treated as income.
- In response to the public emergency resulting from the COVID-19 pandemic,

the City of Albuquerque is issuing a solicitation for emergency contracts per R-20-30 to address the unanticipated loss of income, the loss of job-related health care, the decreasing availability of support services, and unanticipated health costs. The City is allocating \$1,000,000 to fund multiple projects to provide services and activities.

The request for proposals packet is available through Friday, May 8, 2020, on the City's website ([click here](#)). Proposals must be received prior to 4:00 pm local time on Friday, May 8, 2020, through the City's purchasing online portal.

- The state has asked for a waiver from the U.S. Department of Agriculture (USDA) to enable home delivery for Supplemental Nutrition Assistance Program (SNAP). Currently people on SNAP cannot use home delivery, only pickup; some people don't have a car.



From Kyle Henderson and Janelle Groover, UNM DDC

- The UNM CDD Information Network has a call-intake center for referrals or information. You can reach

information specialists at 800-552-8195 or 505-272-8549. Calls actually declined at the beginning of the crisis but have since stabilized at a normal pace. Primarily questions are regarding unemployment and the DD waiver. Earlier people were in crisis mode and having a hard time locating basic needs such as cleaning supplies. The Information Network developed a letter that families could take to grocery stores to explain the family's needs and unique supply issues for people with disabilities. We are not sure how successful that was.

- The New Mexico Coalition to End Homelessness will deliver cleaning supplies. Great resources at: <https://www.nmceh.org/pages/coronavirusUpdates.php>. They have found that connecting to a real person at emergency management offices in each city/county has helped. 🌟



ABLE New Mexico YouTube Video

"Saving for the Future of Your Child with a Disability"

<https://youtu.be/5KzieaoyKSQ>