2017 Legislative Recap & Administrative Update SNT's and ABLE Update

Travis Finchum Special Needs Lawyers, P.A. <u>Travis@SpecialNeedsLawyers.com</u> SpecialNeedsLawyers.com



Federal Updates

- Special Needs Trust Fairness Act is incorporated into 21st Century Cures Act
- Changes 42 USC 1396p(d)(4)(A)
- > Allows a beneficiary to establish his or her own d4A

Federal Updates

- Indications of Block Grants to states for Medicaid funding – Stopped for now w/ ACA reform
- President's proposed budget submitted (\$4.1 trillion)
 - > \$800 B cut to Medicaid
 - > \$192 B cut to food assistance
 - > \$272 B cut from other welfare programs

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Florida Legislature 2017

- HB 39 Autism Awareness Training of Law Enforcement Officers
- HB 371 Assistive Technology Devices
- ➤ SB 1124 Newborn Screenings

Florida Legislature 2017

- > SB 724 Estates
- > Elective Share and Homestead
- Valuation of Elective Estate and Homestead
 - > Life Est and ½ counts as 50%
 - > Outright is 100%
 - Net the value
- Contribution tolls interest after 2 years
- Costs and fees in elective share cases

Florida Legislature 2017

- > HB 399 Guardianship
- > Eliminates requirement that spouse must consent to divorce of a ward
- > No more funeral limits at \$6,000
- Added hearsay exception to examining committee reports if no objection ahead of time
- > Reverted to old rules for deadlines for filing annual reports
- > Effective July 1, 2017

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Florida Legislature 2017

- > HB 7073 / SB 7020 OPPG Regulations
- > Ratified DOEA Rules at FAC
- > 58M-2.001
- > 58M-2.009
- > 58M-2.011

Effective March and June 2017

Florida Legislature 2017

- > HB 7073 / SB 7020 OPPG Regulations
- Professional Guardian Registration and Credit Investigation
- > Standards of Practice
- > Disciplinary Action and Guidelines

Effective March and June 2017

Florida Legislature 2017

- > HB 277 Wills and Trusts
- > 43 page bill
- > Florida Electronic Wills Act
- > Added in a separate trust bill too
- > VETOED by Governor

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Florida Legislature 2017	
Putting up to the vote in 2018	
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Florida Legislature 2017	
Putting up to vote in 2018	
 Constitutional Amendments on ballot 	
 Making 10% cap on non- residential values for property taxes permanent 	
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Florida Legislature 2017	
Putting up to vote in 2018	
 Constitutional Amendments on ballot 	
 Making 10% cap on non- residential values for property taxes permanent 	
Homestead exemption to \$100,000	
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Florida Legislature 2018 > What Might we Expect	
Florida Legislature 2018	
 Early session starting in January Committees have started Likely to see Trust bill back (it is) Unlikely to see Electronic Wills, yet Forced share for Dependent Descendants Judicial Term Limits? Elective Share sliding scale? The Irma effect 	
Florido Comissos	
Florida Services > Agency for Persons with Disabilities	

Florida Services

Agency for Persons with Disabilities

- Serves through the Waiver –
 iBudget and some smaller waivers
- Total about 50,000 individuals with 32,000 on waiver
- Over 20,000 are on the wait list
- Second longest wait list in country

Florida Services

Agency for Persons with Disabilities

The State of the States in Developmental Disabilities



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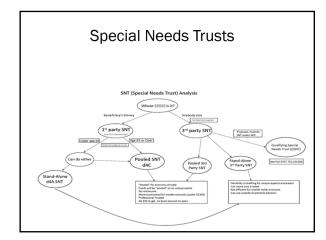
Florida Services

Agency for Persons with Disabilities

Percent of families with I/DD supported by a state agency

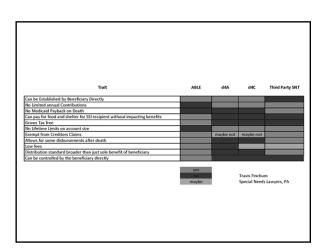
Florida Services
Agency for Persons with Disabilities
Percent of families with I/DD supported by a state agency
Florida 7.2% - 36th in the nation
California – 26.2%
New York – 27.8%
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Agency for Persons with Disabilities
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California – 26.2%
New York – 27.8% Arizona – 31%
Kentucky – 36.3%
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Florida Services
Agency for Persons with Disabilities
Total Fiscal effort - \$ per \$1,000 of
personal income for state residents

Florida Services	
Agency for Persons with Disabilities	
Total Fiscal effort - \$ per \$1,000 of personal income for state residents	
50 th out of 51 (thank you Nevada) - \$1.99	
New Mexico - \$5.17 South Dakota - \$4.73	
Maine - \$8.02 New York – \$9.06	
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Florida Services	
We can do better.	
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Special Needs Trusts and	
ABLE accounts	



ABLE Accounts

- > ABLE Accounts in Florida since July, 2016 – what has a year brought us?
- > Florida waived monthly fees for another year – forever now
 ➤ Investments? Mod/Growth –
- ➤ 14 months 13.36%



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