



## Special Needs Planning – More Than Just a Trust!

**Planning for the future of a loved one with special needs can be an overwhelming and daunting task.**

There are numerous financial, legal, and personal considerations that must be taken into account, and each family's situation is unique. While creating a special needs trust is an essential part of the planning process, it is only one piece of the puzzle. Special needs planning encompasses a broad range of strategies that can help families ensure that their loved one with special needs will have the support they need throughout their lifetime.

One crucial aspect of special needs planning is understanding the government benefits that are available to individuals with disabilities. Programs such as Medicaid and Supplemental Security Income (SSI) and SSDI (Disabled Adult Children) and can provide critical financial support for individuals with disabilities, but eligibility for these benefits can be complicated. Certified Elder Law Attorneys often help families navigate the eligibility rules and structure their financial resources to maximize their loved one's access to these benefits.

While guardianship can be an effective way to protect and care for a loved one with special needs, it is important to consider alternative options that preserve the individual's autonomy and independence. Surrogate decision-making for the disabled individual is the essential consideration. Many individuals can avoid guardianship by creating their own estate planning documents, such as a financial power of attorney, healthcare power of attorney, and living will. These documents empower designated individuals to make important decisions on behalf of the individual with special needs, without the need for a formal guardianship. By exploring these options, families can ensure that their loved one's wishes and preferences are respected while also providing for their care and protection.

Special needs planning also involves developing a comprehensive care plan that addresses the individual's medical, educational, and social needs. This includes identifying healthcare providers, educational programs, and social activities that are tailored to the individual's unique needs and preferences. A care plan should also consider the individual's housing needs and identify appropriate living arrangements that provide for their safety and well-being.

In addition to these considerations, special needs planning involves developing a plan for transitioning care to future caregivers. This can include identifying family members or friends who are willing and able to assume a caregiving role or exploring professional caregiving options such as residential care facilities or home health aides.

It's important to note that special needs planning is not a one-time event but an ongoing process that requires regular review and adjustment. As the individual's needs and circumstances change, so

too must the care plan and financial strategies. Special needs planners can help families stay on top of these changes and ensure that their loved one's needs are continually met.

Special Needs Planning is much more than just creating a trust. It involves a comprehensive approach to care, financial, legal, and personal considerations that can help families ensure that their loved one with special needs will have the support they need throughout their lifetime. By working with experienced Certified Elder Law Attorney, families can develop a customized plan that addresses their unique needs and provides peace of mind for the future.

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