

Division of Family Resources

To Whom It May Concern,

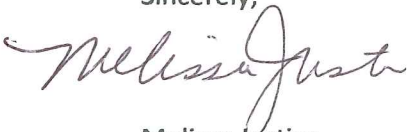
The individual referenced on the following account statement is a recipient of Medicaid and has a trust account with The Arc of Indiana Master Trust.

For purposes of Medicaid, none of the money in this account is "available" to the beneficiary. Because it is not available to the beneficiary, it has no effect on his or her eligibility for Medicaid. Resources must be "available" in order to be counted in the eligibility determination. The "owner" of a resource is any individual who has the ability to liquidate or dispose of the resource. Section 2605.15 of the ICES manual explains that a resource is available "***If the individual has the unrestricted right, authority, or legal ability to liquidate or dispose of the property or his share of it...***".

The beneficiary is not the owner of his or her Arc Trust account and does not have the unrestricted right, authority, or legal ability to liquidate or dispose of the property. Thus, any amount in the account, including any earnings from investment, is unavailable to the beneficiary. Instead, the Trustee has sole and absolute discretion on all disbursements.

Although the trust is not a resource and does not count in determining eligibility, we recognize that how it is spent might create income or countable resources. We intend to limit trust expenditures in ways that will not create income and disbursements will be reported to Medicaid.

Sincerely,



Melissa Justice
Director

Enclosure: Account Statement