

**A Better Life (ABLE) Advisory Committee
Minutes of the Meeting
January 19, 2016, 2:00 pm**

Members Present:

Richard D. Gray, Deputy Treasurer, Office of the State Treasurer
Mary Phil Guinan, Assistant Treasurer for Policy, Office of the State Treasurer
Melody Currey, Commissioner of DAS
Mark Shok, DSS
Jonathan Slifka, Governor's Liaison to the Disability Community
Jack Frost
Marina Derman
Sharon Geanuracos
Shelagh McClure, CT Council on Developmental Disabilities
Steve Pintarich, Captain American Legion Honor Guard
Kerry Tedford-Coles, PLAN of CT
Amy Porter, Commissioner of DORS
Melissa Marshal, CT Cross Drs. Lifespan Alliance

Call to Order

At 2:10 p.m., Assistant Treasurer Mary Phil Guinan called the meeting to order.

Welcoming Remarks and Introductions

Ms. Guinan greeted the Committee. She then handed out the minutes of the December 22, 2015 meeting and asked everyone to quickly review them. After review, the minutes were approved.

Ms. Guinan then recapped last weeks' discussion on reaching out to the disability alliance group. Commissioner Porter and Jonathan Slifka agreed to do that, with Melissa Marshall commenting that she would also assist.

Ms. Guinan then turned the discussion to legislation, and asked that everyone review the section on disability certification, particularly how a disability diagnosis would be confirmed. It was mentioned that the IRS does not require certification of a disability; however, having a doctor's certification might prevent the possibility of fraud. Ms. Guinan then requested guidance on whether the current language should be modified to reflect Connecticut regulations. She raised an additional point that if a doctor considered a situation to be a disability, would that be sufficient verification.

The discussion then proceeded with questions being raised on whether the IRS would review the language. Mr. Shok mentioned that if a person with a disability was currently receiving Title 2, the requirement of certification would not be needed. Ms. Porter agreed, mentioning that Title 2 would automatically deem a person eligible, and certification would not be needed; once a person was entitled

to receive disability that should also qualify them to participate in an ABLE account. Ms. McClure added that while the Federal interpretation did not clarify the certification position, Connecticut might specify whether this action would become necessary.

The discussion then proceeded to contributions, and how an individual can contribute, specifically a 3rd party – would those contributions affect an account in any manner. Currently, the Federal laws are ambiguous as to the intent of State laws, and that perhaps a plan should be implemented to amend them, perhaps in the form of a statute. Contributions to an ABLE account from a working individual along with contributions from other sources needs to be clarified.

Currently there are no plans for an ABLE account to receive tax benefits; however it was raised that it might be a benefit to have this feature. Ms. McClure raised a concern that earnings not affect eligibility, and that we must be cognizant of the federal guidelines and not remove any language that would affect regulations. Also, if states were to combine forces, which states regulations would be followed, or would a guidelines be more broad in order to be less restrictive and ensure everyone eligibility? Ms. Guinan stated that regulations must align with current responsibilities.

Next steps were outlined, with the possibility of combining forces with other states, along with the possibility of an actuarial analysis. Also the potential for tax benefits was mentioned. Determining the population in the disability community was also outlined as a next step, along with producing a rough draft of a legislative bill, to be rolled out by June of 2016. Clarification is also needed on the diagnosis before the age of 26; does the actual diagnosis need to be determined before the age of 26, or can the symptoms of the disability (i.e. PTSD) be evident before that age and determined after, allowing an account to be opened at a later age? This was directed toward veterans returning from active duty. Ms. Bjornberg is to be responsible for this follow up.

It was mentioned that this meeting is now being posted for informational purposes on the OTT website, along with the agenda of future meetings.

The meeting was brought to a close at 2:55pm.