# PATRICIA E. KEFALAS DUDEK & ASSOCIATES

Patricia E. Kefalas Dudek pdudek@pekdadvocacy.com

Maria R. Messina mmessina@pekdadvocacy.com

Fax (248) 928-9233

#### **Attorneys at Law**

30445 Northwestern Highway, Suite 250 Farmington Hills, Michigan 48334 (248) 254-3462

www.pekdadvocacy.com http://pattidudek.typepad.com/pattis\_blog/welcome.html Mall Malisow & Cooney, P.C Of Counsel www.theeldercarelawfirm.com (248) 538-1800 Fax (248) 538-1801

Tali F. Wendrow, PLLC Of Counsel twendrow@pekdadvocacy.com

### SPECIAL NEEDS TRUST LIST OF PERMISSIBLE DISTRIBUTIONS

The Trustee(s) of a Pooled Account Trust may utilize any of the foregoing listing for expenditures from the Trust. The following list of non-support items is provided for purposes of description and shall not limit the Trustee(s) in making other distributions for other items of amenities that the trustee may believe are in the best interest of the beneficiary. Those items may include, but are not limited to:

- 1. Automobile/Van
- 2. Accounting services
- 3. Acupuncture / Acupressure
- 4. Alterations or mending to clothing shoe repairs
- 5. Appliances (TV, VCR, stereo. Microwave, stove, refrigerator, washer/dryer and maintenance/repairs)
- 6. Bottled Water or water service
- 7. Bus pass/public transportation costs
- 8. Camera, film, recorder and tapes, development of film, photo albums, scrapbooks and supplies
- 9. Clothing
- 10. Clubs and club dues (record clubs, book clubs, health clubs, service clubs, zoo, Advocacy Groups, museums)
- 11. Computer hardware, software, program, maintenance/service
  - a. Internet service
- 12. Conferences and travel related to same
- 13. Courses or classes (academic or recreational) including supplies
- 14. Curtains, blinds, drapes and the like
- 15. Dental work not covered by Medicaid, including anesthesia.
- 16. Down payment on home or security deposit on apartment.
- 17. Dry cleaning and/or laundry services and/or supplies
- 18. Elective surgery
- 19. Fitness equipment
- 20. Funeral expenses
- 21. Furniture, home furnishings and insurance
- 22. Gasoline and/or Maintenance for automobile
- 23. Haircuts / Salon services

- 24. Holiday Decorations, parties, dinner dances, holiday cards
- 25. Home alarm and/or monitoring/response system
- 26. Home improvements, repairs and maintenance (not covered by Medicaid), including tools to perform home improvements, repairs and maintenance by homeowner
- 27. Home Purchase (to the extent not covered by benefits)
- 28. House cleaning / maid services/lawn services/snow removal
- 29. Independent Care Managers/Case Managers
- 30. Insurance (automobile, home and/or possessions)
- 31. Insurance Co-Payments not covered by any other source
- 32. Legal Fees/Advocacy
- 33. Linens, towels, bedding and other household furnishings
- 34. Massage, facials and other similar services/treatments
- 35. Musical instruments (including lessons and music)
- 36. Non-food grocery items (laundry soap, bleach, fabric softener, deodorant, dish soap, hand and body soap, personal hygiene products, paper towels, napkins, kleenex, toilet paper, any household cleaning products)
- 37. Over the counter medications (including vitamins and herbs, etc.)
- 38. Personal Assistance Services not covered by Medicaid
- 39. Pet and pet's supplies, veterinary services
- 40. Physician specialists if not covered by Medicaid
- 41. Private counseling if not covered by Medicaid
- 42. Repair services (appliance, automobile, bicycle, household, fitness equipment)
- 43. Snow removal/Landscaping/Lawn Service
- 44. Sporting goods/equipment/uniforms/team pictures/travel to games/tournaments
- 45. Stationary, stamps, cards, etc.
- 46. Storage Units
- 47. Taxi cab
- 48. Telephone service and equipment, including cell phone, pager, etc.
- 49. Therapy (Physical, Occupational, Speech) not covered by Medicaid.
- 50. Tickets to concerts or sporting events (for beneficiary and an accompanying companion)
- 51. Transportation (automobile, motorcycle, bicycle, moped, gas, bus passes)
- 52. Utility bills (direct TV, cable TV, electric, heating)
- 53. Vacation (including paying for personal assistance to accompany the beneficiary)

## **Examples of Trust Distributions which will Reduce SSI Benefit**

- 1. Basic shelter related expenses
- 2. Food
- 3. Cash for any purpose

#### **Examples of Impermissible Trust Distributions**

- 1. Paying for a service already paid for by another source
- 2. Distribution not in the best interest of the beneficiary (made primarily for the benefit of another person)

02/01/10