

# Maryland ABLE User's Guide

## Changes

June 2022

These are changes that were made to the Maryland ABLE program after the User's Guide was written. When you read the User's Guide, look at this information.

- The amount of money you can put into your ABLE account has increased.
- There are now *four* different investment options. Investment options are choices that you can make about where you invest (or put) all or part of your money in your ABLE account. The ABLE Fixed Income is new.
- You can make changes after you set up your ABLE account. The way to do that has changed.

Below we will address each change.

- The amount of money you can put into your ABLE account has increased.

### How much money can you put into your ABLE account each year?

Each year, up to **\$16,000** can be deposited into your account. This amount can change.

- There are now *four* different investment options.

The User's Guide talks about three Investment Options. There are now *four*.

### What options can you pick from?

There is one "Cash Option" and *four* different "Investment Options." The ABLE Fixed Income option is new.

When you open your account, you can choose to:

- Deposit all of your money in the Cash Option,
- Put all of your money in one *or more* of the Investment Options, or
- Split your money between the Cash Option *and one or more* of the Investment Options.  
If you decide to split where you put the money in your account, you have to put at least \$10 in each option that you select.

Contact [questions@marylandable.org](mailto:questions@marylandable.org) or  
Maryland ABLE Customer Support if you have questions.

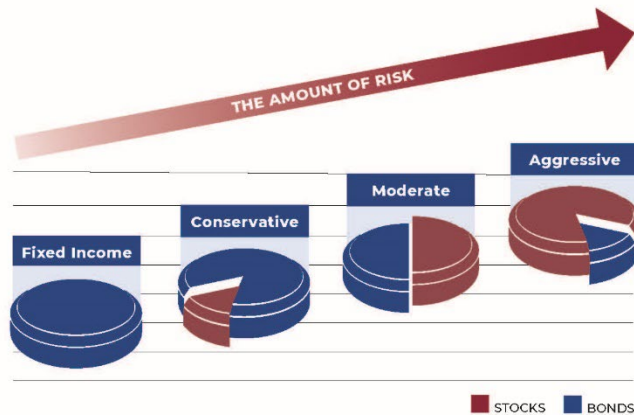
Monday-Friday, 9am-8pm

1-855-563-2253 1-844-888-2253 (TTY)

## INVESTMENT OPTIONS

The different Investment Options are called ABL Fixed Income, ABL Conservative, ABL Moderate, and ABL Aggressive.

These options use your money to buy different amounts of stocks and bonds. The value of stocks changes often. So the more money you have in stocks means the more chance there is that you could earn money. There is also more risk that you could lose money.



### ➤ What changes can you make after you set up your ABL account?

You may decide after you open an account that you want to change where the money in your ABL account goes. The good news is that you are allowed to make changes. You can make changes in the options you choose up to two times each calendar year. Here is what you can choose to do:

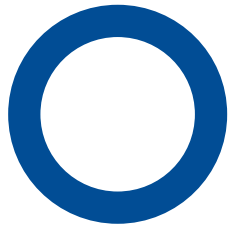
Each time you deposit money, you can choose to put your money in the Cash option and one or more Investment Option. You no longer need to split the money in your account between the cash option and only one investment option.

- **If you have all of your money in the Cash Option, you can add one or more Investment Option.**  
You can choose how much money you want to deposit in each option.
- **If you have all of your money in one or more Investment Option, you can add the Cash Option.**  
You can choose how much money to put into in each option. You can choose how much money to put into each option every time you make a deposit.
- **You can move all of your money out of the Cash Option or one of the Investment Options.**  
If you choose to move all of your money from the Cash Option or one of the Investment Options, it will count as one of your changes for the year.

You can only move all of your money from the Cash Option or one of the Investment Options two times a year.

When you take money out of your account, you can choose how much money you want to take from the Cash Option or your Investment Options. You do not need to choose the same options each time you make a withdrawal.

# MARYLAND ABLE INVESTMENT OPTIONS



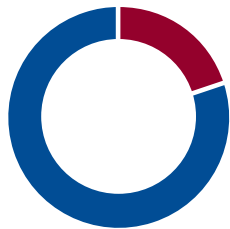
■ 100% BONDS

## ABLE Fixed Income

This Investment Option is designed for people who want to take a low amount of risk with their money.

This option puts none of your money in stocks. 100% of the money that goes to this option buys bonds. For example, if you put \$1,000 into this option, \$1,000 would be used to buy bonds.

The goal is to have a low amount of risk with your money, while making some income. This is not guaranteed and you could lose money.



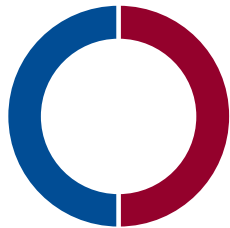
■ 20% STOCKS  
■ 80% BONDS

## ABLE Conservative

This Investment Option is designed for people who plan to have their money invested for just a short period of time.

This option puts only a small amount of your money in stocks. 20% of the money that goes to this option buys stocks and 80% buys bonds. For example, if you put \$1,000 into this option, \$200 would be used to buy stocks and \$800 would be used to buy bonds.

The goal is to take a little risk while making some income. This is not guaranteed and you could lose money.



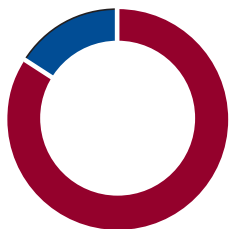
■ 50% STOCKS  
■ 50% BONDS

## ABLE Moderate

This Investment Option is designed for people who may not know if they want to invest their money for a short or long time.

Half (50%) of the money that goes to this option buys stocks and the other half (50%) buys bonds. For example, if you put \$1,000 into this option, \$500 would be used to buy stocks and \$500 would be used to buy bonds.

By putting half of your money in bonds and half in stocks, this option tries to balance the possibility of earning money with the possibility of losing money.



■ 84% STOCKS  
■ 16% BONDS

## ABLE Aggressive

This Investment Option is designed for people who want the most chance of earning money from their investments. And they expect to invest their money for 10 or more years.

This option puts most of your money in stocks. 84% of the money that goes to this option buys stocks and 16% buys bonds. For example, if you put \$1,000 into this option, \$840 would be used to buy stocks and \$160 would be used to buy bonds.

The goal of this option is to make earnings over the long-term. This is done by investing most of your money in stocks with some money in bonds. This comes with greater risk of losses over short periods of time. But it may give the greatest potential for earnings over a long time period.

# Maryland ABLE User's Guide

## Changes April 2024

These are changes that were to the Maryland ABLE program in 2023 and 2024. When you read the User's Guide, look at this information. The changes effect pages 23-24.

- **Who can open and manage an account has changed.**
- **There are now safeguards for the use of supported decision-making.**
- **The amount of money you can put into your ABLE account has increased.**

Below we will address each change.

### **Who can open and manage an account now?**

If you open or manage your account on your own, you have three options:

- You can manage your account on your own; or
- You can give someone power of attorney for your account; or
- You can choose someone else to open and manage your account for you.

If you are NOT able to open or manage your own account, the following list of people can help you manage your account. The people that can help must be in this order:

- Power of attorney. A power of attorney is a legal document that gives someone the power to make certain decisions for you.
- Legal guardian or conservator. A conservator is someone a judge has named to manage another person's money.
- Spouse
- Parent
- Sibling
- Grandparent
- A Social Security Representative Payee

If one of these people wants to help manage your account, they will have to check a box when they enroll you in the ABLE program that says they are one of these eligible people.

### **What are the safeguards you have to show to use supported decision-making?**

The person that helps you use support decision-making is called a supporter. If a supporter is helping you open and manage your ABLE account, you will have to check a box that says:

- You have not had a peace or protective order against the supporter.
- There is not a civil or criminal order stopping them from having contact with you.
- They have not gotten in legal trouble for financial exploitation. That means there has never been a case in civil or criminal court (lawsuit) that says the supporter tricked someone or forced someone to give them their money.

### **How much money can you put into your ABLE account each year?**

Starting January 1, 2024, up to **\$18,000** can be deposited into your account.

# MARYLAND ABLE User's Guide



Understand the Maryland ABLE program, so you can decide if it's right for you.



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# MARYLAND ABLE: ACHIEVING A BETTER LIFE EXPERIENCE

## About this Guide

This guide was written to help you understand Maryland ABLE. It is a resource developed by the Maryland Developmental Disabilities Council. The Maryland ABLE program reviewed and approved the information in this guide.

Opening an ABLE account is an important decision. There are many things people with disabilities like about Maryland ABLE. There are also some risks you should know about. Make sure you have all the information you need to make the best decision you can for you and your family.

Anyone who is considering opening an ABLE account should review the Maryland ABLE Program Disclosure Booklet. It is available on the Maryland ABLE website ([marylandable.org](http://marylandable.org)) or by calling Customer Support (1-855-563-2253). **It is important to remember that this guide does not replace the Program Disclosure Booklet. This guide does not provide investment, tax, or disability benefits advice. You should speak with your own advisers for specific investment, tax, or benefits advice.**

## THINGS TO KNOW WHILE YOU READ THIS GUIDE:

- There is a list of Words to Know on page 9. You can read this first and also check back if you forget what something means.
- Sometimes there is extra information at the bottom of a page to explain something better. When you see \* after a sentence, go to the bottom of the page to learn more.
- The information in the boxes is important to remember.
- If you have questions about anything in this guide, reach out to the Maryland ABLE program for help. Their phone number, email, and website are on page 74.



Maryland Developmental  
Disabilities Council

May 2021



Maryland ABLE is an easy to use savings program. It makes it possible for people with disabilities and their families to save and invest money without losing the federal and state benefits they need, like Supplemental Security Income (SSI) and Medicaid. The money in an ABLE account must be used for “qualified disability expenses.” These are things that help the person with a disability support or improve their health, independence, or quality of life. Not only can the person with a disability put money in their account, but so can family, friends, and others. Marylanders who put money in a Maryland ABLE account lower their state taxable income. There are other tax benefits, and account fees are low.



# Steps to ABLE

## > What Is ABLE?

ABLE accounts help people with disabilities save money without losing benefits like SSI and Medicaid. See page 13



## > Who Is Eligible?

An ABLE account owner must have a significant disability that started before age 26. An account can be opened at any age. See page 19

## > How Do You Open an Account?

Accounts are opened through the Maryland ABLE program website, or by mail. It is easy to do. See page 25



## > How Can Money Be Used?

Money in an ABLE account can be used for qualified disability expenses like education, transportation, job training, housing, and much more. See page 39

## > How Do You Manage Your Account?

You are in control. You decide if you want to invest your money. And you decide how to spend the money in your account. See page 53



# WHAT YOU WILL LEARN ABOUT IN THIS GUIDE:



## About ABL

### **Words to Know** ..... page 9

This is a list of some of the words used in this guide and what they mean. These are important words about Maryland ABL you should know.

### **Introduction to Maryland ABL** ..... page 13

Get a quick look at the Maryland ABL program and how it got started. Accounts are easy to open, contribute to, and use.



## How to Use ABL

### **Eligibility to Open an ABL Account** ..... page 19

Find out who can open an ABL account. Learn what records are needed, who owns the account, and other useful information.

### **Managing Your ABL Account** ..... page 23

Who opens and manages your account depends on your age. Get the details in this section.

### **Opening Your ABL Account** ..... page 25

See the steps to open an account and learn how easy it is.

### **Contributing to Your ABL Account** ..... page 29

Learn the different ways you, your family, and friends can put money in your account. Find out how much you can save.

### **Rollover Options** ..... page 35

You can move your ABL account from one state to another. You can also move money from a college savings plan account to an ABL account. Learn when that can happen and the rules you have to follow.

### **Withdrawing Money from Your ABL Account** ..... page 39

Find out about the kinds of things you can use the money in your ABL account for. Learn the ways you can take money out of your account to pay for them.



## Benefits of ABLE

### **Social Security, Medicaid, and Other Public Benefits** ..... page 47

Learn how you can have an ABLE account and not lose the federal and state benefits you count on.

### **Investment Options** ..... page 53

When you open an account, you get to make a choice if you want to put your money into a cash option or invest in stocks and bonds. Learn about each option.

### **Cost of Having an ABLE Account** ..... page 59

Learn about the fees you will pay when you have an account.

### **Tax Information Related to Maryland ABLE Accounts** ..... page 61

Understand the tax benefits you and others who put money into your account get with a Maryland ABLE account.

### **ABLE Accounts and Special Needs Trusts** ..... page 67

This section will help you understand more about ABLE accounts and special needs trusts. Learn how they can work together.

### **Reporting** ..... page 71

See what reports Maryland ABLE sends about your account. Learn what is in each one.

### **Final Thoughts** ..... page 73







# About ABLE

	PAGE
Words to Know .....	9
Introduction to Maryland ABLE .....	13





# Words to Know

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This is a list of some of the words used in this guide and what they mean. These are important words related to Maryland ABLE you should know.

When you read the guide you will get even more information. You can come back to this list if you want a reminder of what something means.

**ABLE Account:** The account you open and own in the Maryland ABLE program. This is where you, family, and friends may deposit money. The money is used for qualified disability expenses (QDEs).

**Audit:** When the Internal Revenue Service (IRS) checks to see that you paid the right amount of taxes. If you have an ABLE account they might ask to see medical records or a letter from your doctor to prove you are eligible to have an account. They might also ask for information to show how you spent your ABLE account money on qualified disability expenses (QDEs).

**Authorized Legal Representative (ALR):** Some people need help to manage their ABLE account. An Authorized Legal Representative (ALR) is a person who opens and manages an ABLE account for someone who needs help. They make decisions about your account based on what they think is best for you. You still have the chance to tell them the things that you need and want. They can help you to use your ABLE account to get them. Not everyone has an ALR.

If you are under the age of 18, you must have an ALR. Most of the time your ALR is your mother or father when you are a child. If you are a child cared for by someone other than a parent, that person can be your ALR if: 1) they are the guardian of your property, or 2) they have been given power of attorney for your ABLE account by your parent, or 3) they are your conservator. Guardian of the property, power of attorney, and conservator are explained later in this section.

If you are 18 or older, you only need an ALR if you have a legal guardian. This is because a judge has said your guardian should make decisions with you about your money. If you are 18 or older and do not have a guardian you can choose to have an ALR. You can ask someone to be your ALR to help you manage your ABLE account. You make them your ALR by giving them power of attorney for your ABLE account.

**Beneficiary:** You, the person with a disability, are the beneficiary of your ABLE account. This means you benefit from the money in your account. It is used to pay for things you want and need.

**Benefits:** Federal and state benefits are things like Supplemental Security Income (SSI); Medicaid; and food, energy, or housing assistance (like Section 8).

**Cash Option:** You can choose to put all or part of your ABLE account money in the Cash Option. This is like a savings account at a bank. It comes with insurance that protects up to \$250,000 in your account if the bank that manages your account fails. If interest rates drop below zero, you could lose money.

**Conservator:** A conservator is someone a judge has named to manage another person's money.

**Countable Resources:** These are things that federal and state programs use to decide if you qualify for benefits. They look at the resources you have (like money in the bank). Each program has different rules about what counts as a resource. Resources can be money and savings in bank accounts. They can also be stocks and bonds and things you own that are worth money.

**Congress:** The United States Senate and the House of Representatives are called the Congress. They are made up of senators and representatives from every state. They make the federal laws (rules) we all have to follow. Examples of this are rules about who can open an ABLE account and who can get federal benefits like SSI.

**Deposit:** When you, family, and friends put money into your ABLE account.

**Eligible:** Eligible means you qualify to open an ABLE account. To qualify you must have developed a disability or blindness before you were 26 years old. You must also meet the Social Security definition of disability or blindness.

**Gross Income:** How much your employer pays you each year before they take out money for benefits and taxes.

**Guardian of the Property:** A guardian of the property is someone a judge has named to manage another person's money and property.

**Income Deduction:** Taxes are based on how much income you have. So the more income you have, the more taxes you pay. Sometimes you qualify to subtract money from your income to lower how much tax you pay. This is called an income deduction. Maryland taxpayers who deposit money in a Maryland ABLE account may be able to claim an income deduction on their Maryland State income taxes. As a result, they may pay less Maryland income taxes.

**Interest Rate:** An interest rate sets how much money a bank pays you to keep your money deposited with them.

**Internal Revenue Service (IRS):** The Internal Revenue Service is an agency in the federal government that collects federal taxes. The IRS can ask to see records that prove you are eligible to have an ABLÉ account. It can also ask to see records that show you spent your ABLÉ account money on qualified disability expenses (QDEs).

**Investing:** Investing means you buy stocks and bonds. Your goal when you buy stocks and bonds is to make money. Sometimes you make money, but sometimes you lose money when you invest.

**Investment Earnings:** Money you make (earn) when you put money in one of the three Investment Options. You can choose to have some or all of your ABLÉ account money put in one of the Investment Options. The goal of investing money is to make investment earnings. Sometimes you reach this goal and make money, but sometimes you lose money.

**Investment Losses:** Sometimes when you invest money, you lose money. The loss of money would be investment losses.

**Investment Options:** With Maryland ABLÉ, you can choose to invest all or part of the money in your account. There are three Investment Options. They are called ABLÉ Conservative, ABLÉ Moderate, and ABLÉ Aggressive. Each of these Investment Options has different amounts of stocks and bonds. There is some risk with each of these investment options – you could make money or lose money on your investments.

**Maryland ABLÉ:** A program that gives people with disabilities and their families a way to save and invest money without losing benefits (for example, Supplemental Security Income and Medicaid).

**Medicaid:** A government program that helps people pay for their health care. People use Medicaid to pay for visits to the doctor. They also use it to cover medicine, disability services, and other things.

**Non-qualified Withdrawal:** When you take money out of your ABLÉ account and buy things that are not qualified disability expenses (QDEs). An example is buying a gift for a friend. Also, if you close your account and there is money still in it, that money is a non-qualified withdrawal. You have to pay taxes and a 10% penalty. The taxes will be on the part of non-qualified withdrawals that are from investment earnings.

**Options:** Things you get to choose from. When there are options, it means you have more than one thing to pick from.

**Power of Attorney:** A power of attorney is a legal document. It gives someone the power to make certain decisions for you.

**Program Manager:** Maryland ABLE contracts with a company to be the Program Manager. The Program Manager's job is to do things like handle applications, deposits and withdrawals, customer support, and reporting.

**Qualified ABLE Program:** A state ABLE program that meets all of the federal rules is called a "qualified ABLE program." Maryland ABLE is a qualified ABLE program.

**Qualified Disability Expenses (QDEs):** Anything that helps you support or improve your health, independence, or quality of life. A few examples are medical bills, food, rent, transportation, and support to work.

**Qualified Withdrawal:** When you take money out of your ABLE account and use it to pay for qualified disability expenses (QDEs).

**Rollover:** When you move money from one account to another account. There are three kinds of rollovers: 1) Moving money from an ABLE account in one state to an ABLE account in another state, 2) Moving money from your ABLE account to an ABLE account owned by a brother or sister who qualifies to have an account, and 3) Moving money from a college savings account into an ABLE account.

You have to follow some rules when you rollover money from one account to another. If you don't, you will have to pay taxes on part of the money. This could affect your government benefits.

**SSDI:** The Social Security Disability Insurance program.

**SSI:** The Supplemental Security Income program.

**Tax Benefits:** Any Maryland taxpayer that puts money into your Maryland ABLE account may be able to pay less Maryland income tax. That is called a tax benefit. Another tax benefit is that you do not pay taxes on the money you earn on your ABLE account while it is in your account. If you spend the money in your account on qualified disability expenses (QDEs), you also do not pay taxes on the investment earnings then.

**Taxable Income:** This is how much of your income you pay taxes on. The higher your taxable income, the more taxes you pay.

**Withdraw:** When you take money out of your ABLE account.



# Introduction to Maryland ABLE



Get a quick look at the Maryland ABLE program and how it got started. Accounts are easy to open, contribute to, and use.

## What is Maryland ABLE?

Maryland ABLE is a savings program. It gives people with disabilities and their families a way to save and invest money without losing the federal and state benefits they need. Examples of this are Supplemental Security Income (SSI) and Medicaid. When you put money into your ABLE account, you get to choose whether to invest money in your ABLE account in stocks and bonds with the goal of earning money.

There are also tax benefits for any Maryland taxpayer who deposits money into your account and pays Maryland income taxes. Checking and savings accounts at a bank do not provide these tax benefits.

The other good news is that ABLE accounts are easy to open, easy to contribute to, and easy to use. And the fees you pay are low compared to a typical special needs trust.

Children and adults can have an ABLE account. This includes adults who need or want someone else to manage their account for them.

The money in an ABLE account must be used for “qualified disability expenses.” These are called QDEs for short. Qualified disability expenses are things that help you support or improve your health, independence, or quality of life. Some examples are medical bills, daily living expenses, technology and equipment, transportation, and support to work. You can find more information about QDEs on page 40.

If you qualify to open an ABLE account, you can save your own money. Your family, friends, and others can help you by putting money into your account. You can put money into your account for what you need now. You can also save and invest money for your future needs.

You do not pay taxes on the money your account earns or the money you take out of your account as long as:

1. You stay eligible for the program, and
2. You use the money in your account for QDEs.

You can save more money and keep SSI and SSDI benefits when you have an ABLE account.

## **How did Maryland ABLE get started?**

Congress realized that many people with disabilities and their families face extra costs because of their disability. They saw that there was no easy way to save money to pay for those things without losing SSI, Medicaid, and other benefits. People depend on these government benefits for income, health care, and other needs.

So Congress decided to do something about that. They passed a law in 2014 called the Stephen Beck, Jr., Achieving a Better Life Experience Act. It is called the “ABLE Act” for short. This law made it possible for states to create ABLE programs to help people with disabilities build more financial independence. Maryland took advantage of this opportunity and started to create the Maryland ABLE program in 2016. By late 2017, the program was up and running and people started opening Maryland ABLE accounts.

## **Who runs Maryland ABLE?**

The Maryland ABLE program is operated by an independent state agency called Maryland 529. Maryland 529 also manages the state’s college saving plans. Maryland 529 is overseen by an 11-member board of directors. The Board includes state officials and members appointed by the Governor.

It is named this because 529 is the number of the section of the IRS tax code that made it possible for states to create college savings plans and ABLE programs. It makes sense that Maryland 529 operates both programs even though they are not exactly the same. Both encourage people and their families to save money. Each one also has tax benefits.

Maryland ABLE has a staff that oversees the program. It contracts with an outside company to be the Program Manager. The Program Manager handles things like applications, customer support, deposits and withdrawals, and reporting. Maryland ABLE also uses a company with experience to review the investment options offered to account holders.

The money in your ABLE account is kept in a trust. The trust is called the Maryland ABLE Trust. The trustee is the Maryland 529 Board. The money in your account can only be used as directed by you or your Authorized Legal Representative (ALR). It is not the state’s money.

## MARYLAND ABLE HIGHLIGHTS

### Check out the many benefits of Maryland ABLE accounts:

- ✓ Easy to open an account. You only need \$25 for your first deposit.
- ✓ Easy to put money into your account. The minimum deposit after opening your account is only \$10.
- ✓ Family and friends can deposit money to your account. This can help you meet your goals.
- ✓ Easy to get money out of your account.
- ✓ Use the money in your account for a lot of different types of things related to your health, independence, and quality of life.
- ✓ Deposit up to \$15,000 each year; more if you work.
- ✓ Save while still being able to keep federal and state benefits like Medicaid; SSI; waiver services; and food, energy, or housing assistance (like Section 8).
- ✓ Save up to \$100,000 before your SSI benefits are affected.
- ✓ Make deposits until your balance reaches \$500,000.
- ✓ Pay no tax on the money your account earns or on the money you withdraw to pay for qualified disability expenses (QDEs).
- ✓ People who live in Maryland and put money into your account, including you, get a tax benefit.



**REMEMBER TO READ THE ENTIRE MARYLAND ABLE PROGRAM DISCLOSURE BOOKLET.**

The booklet is available on the Maryland ABLE website ([marylandable.org](http://marylandable.org)) or by calling Customer Support (1-855-563-2253).

There is a lot more to know and understand about Maryland ABLE accounts. More information will help you decide if the program is right for you. If you qualify to open an account, you can enjoy all of these benefits. It is important to remember that you must follow all of the rules to receive the benefits.

The rest of this guide will explain what all of this means and answer many of your questions. Keep reading to learn more!



# How to Use ABLE

	PAGE
Eligibility to Open an ABLE Account .....	19
Managing Your ABLE Account .....	23
Opening Your ABLE Account .....	25
Contributing to Your ABLE Account .....	29
Rollover Options .....	35
Withdrawing Money from Your ABLE Account .....	39







# Eligibility to Open an ABLÉ Account



Being “eligible” means you qualify to open an account. Find out who can open an ABLÉ account. Learn what records are needed, who owns the account, and other information.

## Who can open an ABLÉ account?

Two things have to be true before you can open an ABLÉ account. Not everyone with a disability will be eligible. To be eligible, you must:

### 1. Have developed a disability or blindness before you were 26 years old

You must be able to show documentation that you had your disability or blindness before age 26. The documentation does not have to include a formal diagnosis. Medical records are a good example of documentation.

AND

### 2. Meet the Social Security definition of disability or blindness

You can prove that you meet this definition in two ways:

- Show that you are eligible for Supplemental Security Income (SSI) or Social Security disability benefits (SSDI).

OR

- Have your doctor complete a form called the Diagnosis Form for Physician. By signing the form, your doctor is saying you meet the Social Security level of disability. The form is on the Maryland ABLÉ website. You can also have your doctor write and sign a letter that says you meet the Social Security level of disability.



## **YOU DO NOT HAVE TO OPEN AN ABLÉ ACCOUNT BEFORE AGE 26.**

You can open an ABLÉ account at any age. You just need to show that you had a disability before you turned 26. Keep these records in case the IRS asks to see them.



## **YOU DO NOT HAVE TO BE GETTING SSI BENEFITS TO OPEN AN ABLE ACCOUNT.**

For example:

- If you are under 18 and your family income is too high to qualify for SSI:
  - You could still qualify for an ABLE account.
- If you are 18 or older and your income from your job is too high for you to qualify to get or keep SSI:
  - You could still qualify for an ABLE account.

***You MUST have a disability that started before you turned 26 years old. It also MUST meet the Social Security definition of disability.***

## **What do you do with your disability records?**

You might think that you have to send information like medical records or the letter from your doctor to the Maryland ABLE program to show that you qualify. Opening an account is much easier than that! You do not send any records about your disability to Maryland ABLE. Instead, you sign the application form stating that you are eligible and have the records to prove it.

It is very important that you keep the records that show you qualify for an ABLE account, even though you do not send them in. You should keep these records because the Maryland ABLE program and the Internal Revenue Service (IRS) can ask to see them. This is called an audit. They may never ask for your records. If they do, you will have to show them so you can keep your account open. If you do not have these records, you may have to pay taxes on the money you earned or took out of your account.

## **Who is the beneficiary of your account?**

You, the person with the disability, are the “beneficiary” of your account. This means you benefit from the money in the account. It is used for things you need or want. Each ABLE account can only have one beneficiary. You can only have one ABLE account at a time.

## **Can the beneficiary change?**

Yes. If you choose, the beneficiary of your account can be changed to your brother or sister if they qualify for an ABLE account. You can also do this with a stepbrother or stepsister. See the Rollover section on page 35 for more information.

### **Who is the owner of your account?**

You, the person with the disability, are always the owner of your account. All of the money in the account belongs to you. This is true for children and adults. This is true even if someone helps you manage your account as an Authorized Legal Representative (ALR).

### **Do you have to be a resident of Maryland to open a Maryland ABLÉ account?**

No. Maryland ABLÉ is open to people who live in any state or U.S. territory. You have to be a U.S. citizen or legal resident.

### **What happens if you no longer qualify to have an ABLÉ account?**

Most people who are eligible to have an ABLÉ account stay eligible. But sometimes a person's disability goes away or changes. If that happens, they may no longer meet the Social Security definition of disability described on page 19. If they no longer meet that definition of disability, they no longer qualify to have an ABLÉ account.

If this happens, you should sign into your account and update it. Your account will stay open. You can continue to put money in until the end of the calendar year. After the end of the year, you, your family, and friends cannot make any more deposits.

If you no longer qualify for an ABLÉ account and take money out, you could pay taxes on some of the money you take out. See the Tax section on page 61 for more information. This also could affect your eligibility for SSI and other federal benefits. The same is true if you close your account and there is still money in it. See the Benefits section on page 47.

If you develop a qualified disability again, you can sign into your account and provide updated information. If your account has been closed, you can sign up for a new one.





# Managing Your ABLÉ Account



Who opens and manages your account depends on your age. Get the details in this section.

## What if the ABLÉ account is for a child?

If you are under the age of 18, your mother or father can open and manage the account for you. They are called your “Authorized Legal Representative” or ALR for short. They will make decisions about your account based on what they think is best for you. Your parent does not have to provide paperwork to show that they meet the qualifications of an ALR.

If you are a child cared for by someone other than a parent, they can serve as your ALR. They will need to provide records to show:

1. They are the guardian of your property, or
2. Your parent has given them “power of attorney” for your ABLÉ account, or
3. They are your conservator.

A power of attorney is a legal document. It gives someone the power to make certain decisions for you.

## What if the ABLÉ account is for an adult?

If you are 18 or older, you can open and manage your own ABLÉ account. You can also have an Authorized Legal Representative (ALR) do it for you. If someone has been named your guardian of property or full guardian by a judge, they help make decisions about your money with you. That person can be the ALR for your ABLÉ account.

If you do not have a guardian and just want someone to help you manage your ABLÉ account, you can give them power of attorney to just manage your ABLÉ account.

If you want to name an ALR, but do not already have a power of attorney document, you can find one on the Maryland ABLÉ website. It was created just for the Maryland ABLÉ program. It is important to remember that it gives the person you pick the right to make decisions about your ABLÉ account. You simply:

1. Sign the form,
2. Have it notarized, and
3. Send it to Maryland ABLÉ when you set up your account.



## **POWER OF ATTORNEY**

You do not need a lawyer to set up a power of attorney. You do not go to court to set up a power of attorney. You simply take a power of attorney form to someone who is a notary public. They notarize your form. This means they:

1. Look at your identification (like a license or ID card with your photo on it),
2. Ask that you know what you are signing, and
3. Watch you and two witnesses sign the form.

Then they sign and stamp your form. This proves that you are setting up your power of attorney and not someone else.

People you know can help you find a notary public.

## **What else should you know about an Authorized Legal Representative (ALR)?**

- The ALR does not own the ABLE account with you. You own all of the funds.
- There can only be one ALR for an ABLE account.
- An ALR can open and manage multiple ABLE accounts, as long as each one is for a different person.
- A Social Security Representative Payee is not an ALR for an ABLE account. An ALR has to meet the rules described above.



## **WHO OWNS YOUR ABLE ACCOUNT?**

You, the person with a disability, are the owner and beneficiary of your account. This means the money in the account belongs to you. This is true even if someone else is managing your account.

# Opening Your ABLE Account



See the steps to open an account and learn how easy it is.

## How do you open an ABLE account?

The good news is – it's easy! When you are ready, you can apply online at the Maryland ABLE website, [marylandable.org](http://marylandable.org). If you do not want to apply online, you can fill out and mail paper forms to open an account. Doing it online is the quickest and easiest way to get started.



### DID YOU KNOW?

You can only open an ABLE account through a qualified ABLE program like the Maryland ABLE program – not at a bank.

## How much does it cost to open a Maryland ABLE account?

There is no application fee. You only need \$25 for your first deposit to open an account!

## What information do you need to open an ABLE account?

When you apply, you will be asked to:

- Provide information about yourself:
  1. Name,
  2. Phone number,
  3. Home address,
  4. Email, and
  5. Social Security number.

If you want access to your account online, you have to have an email address.

- Provide bank account information to connect to your ABLE account.

This is one way that you can put money in and take money out of your ABLE account. Your first deposit to open the account can be taken from this bank account. You can also choose to have a monthly deposit made to your ABLE account from this bank account. You do not have to have a bank account to connect to your ABLE account if you would rather make deposits by mail.

- Choose where you want your money to go.  
You will have several different choices about where to put your money that include a Cash Option and Investment Options. The Cash Option is like a bank account. The Investment Options use your money to buy different amounts of stocks and bonds with the goal of earning you money. You can learn more about each option in the Investment Options section on page 53.
- If you have an Authorized Legal Representative (ALR), they have to email or mail a copy of the power of attorney or guardianship papers. You do not have to do this if you are under 18 and they are your parent.
- Provide information about the type of disability you have.

When you or your Authorized Legal Representative (ALR) sign the application, it means:

- You understand how the program works and agree to follow the rules,
- You have a disability or blindness that qualifies you to open an account,
- You have records about your disability or blindness that prove you are eligible, and
- You are saying all of the information you provided is true.



### **OPENING AN ACCOUNT IS EASY!**

- Little paperwork
- No need to go anywhere: you do it online or by mail
- No application fee
- Get help by phone

### **What bank account should you connect to your ABLÉ account?**

Connecting your bank account to your ABLÉ account is the easiest way to use your ABLÉ account. If you choose to do this, you should pick the bank account that works best for you.

Your connected account does not have to be your own bank account. If you want, you can connect your ABLÉ account to someone else's bank account. It can be anyone you choose.

## How many ABLÉ accounts can you open?

You can only have one ABLÉ account open at the same time. The only time that is different is if you decide to close your ABLÉ account and move the money to an account in another state's ABLÉ program. Then you can have both accounts open at the same time – but only for 60 days. See the Rollover section on page 35 for information on how this works.



### ONLINE AND PAPER OPTIONS

You do not have to connect your ABLÉ account to a bank account. There are paper and online options for all ABLÉ account activities. For example:

- Opening an account
- Depositing money
- Withdrawing money (there is a fee if you ask for a paper check)
- Making changes to your account

If you choose the paper option, it will take longer to have your money deposited. It will also take longer to get money from your account.





# Contributing to Your ABLE Account



Learn the different ways you, your family, and friends can put money into your account. Find out how much you can save.

## Who can put money into your ABLE account?

Anyone can put money into your account! This can be:

- You,
- Family and friends,
- Your Social Security Representative Payee (rep-payee),
- Your support provider, and
- Anyone else who wants to help you save money.

## How small can each deposit be?

When money is put in your account, it is called a “deposit.” Each deposit can be as little as \$10. That is after you have opened your account with at least \$25.

## How much money can you put into your ABLE account each year?

Each year, up to \$15,000 can be deposited into your account. This includes the money you and other people put into your account. You can deposit even more if you work.

If you have a job, you can put more money into your account each year if you qualify. This is in addition to the \$15,000 everyone is allowed to save. These extra deposits are called “ABLE to Work contributions.” Here are the rules about ABLE to Work contributions:

- The extra amount you can deposit is based on your “gross income.” Your gross income is how much your employer pays you before they take out money for benefits and taxes. Each year you work, you can deposit as much as your gross income – but only up to a certain amount. For 2021, in Maryland, that amount is \$12,760. That amount is based on the federal poverty level.\* It changes each year, so check with Maryland ABLE to get the current amount.
- ABLE to Work deposits must come from **you** – not from your family or friends.
- The deposits **do not** have to come from your wages.
- You **cannot** make ABLE to Work deposits if you or your employer puts money in a retirement plan for you.\*\*
- You **can** make up to \$15,000 in deposits to your ABLE account even if you have a retirement account. You just **cannot** make the extra ABLE to Work contributions.

\*The federal poverty level is the amount of money people need to cover living costs like food, housing, and utilities. It is set by the federal government.

\*\*Some employers help employees save money to meet their needs when they are older and aren't working anymore. They do this by putting money into a retirement plan that saves and invests the money for the employee.



## **CAN I WORK AND HAVE AN ABLE ACCOUNT?**

**Yes! If you qualify, you can deposit more than \$15,000 each year in your ABLE account.**

You can set a goal of how much you want to save in your ABLE account during the year. Every time a deposit is made into your account, you get closer to your goal. You can look at your account online to see how close you are to reaching your savings goal.

## **What is the most amount of money you can put in your ABLE account?**

You and other people can make deposits until you have \$500,000 in your account (up to \$15,000 each year). If you reach this \$500,000 limit, Maryland ABLE will stop accepting deposits. If you spend money in your account and it goes below \$500,000, you can start making deposits again.

## **How do you deposit money into your ABLE account?**

You can add money to your account anytime you want. Your friends and family can too. You can deposit money to your account by mail or online. Doing it online is the easiest and quickest way.

This is how you make deposits online:

- Give Maryland ABLE information about a checking or savings account you have. You can do this when you apply, or anytime you want. You use a form that is on the Maryland ABLE website. Maryland ABLE then connects your savings or checking account to your ABLE account. This makes it easy to move your money.
- You can choose to have money sent every month to your ABLE account. You do not have to tell your bank to do it every time. These are called “automatic transfers.” It only takes a few steps to set this up in your account. You decide how much will be moved every month to your ABLE account. It will be the same amount each month until you change it. You also pick the day of the month you want this to happen. Having money moved into your ABLE account each month is a great way to help you reach your savings goal.
- You can also make deposits one at a time online. You can make these deposits anytime. You choose how much money to move from your savings or checking account to your ABLE account each time. Just remember, it must be at least \$10.

This is how you make deposits by mail:

- Complete the Contribution Form. It is on the Maryland ABLE website. You can use this form to make one deposit at a time or to set up monthly deposits. If you do not use a computer, you can get a paper copy of the form mailed to you. Just call the Maryland ABLE Customer Support number listed at the back of this guide.
- Mail the form with a check to the address listed on the form.

### **How do you have part of your income from a job sent to your ABLE account?**

You can choose to have your employer take money out of your checks and send it to your ABLE account. You choose how much of your money you want deposited this way. This is called an “automatic payroll deduction.” It is called this because after you set it up, you do not have to tell your employer to do it each time. Some employers do not do automatic payroll deductions. If your employer doesn’t, you cannot have money deposited in your ABLE account this way.

### **How do your family and friends deposit money into your ABLE account?**

It is also easy for family and friends to help you reach your savings goals by depositing money into your account. This is called “gifting.” Gifting can be done online or through the mail.

You start by setting up a “gifting page” online. It is then easy and safe for family and friends to make deposits. They follow a few steps and money goes directly into your account.

To make a deposit by mail, your family and friends complete the Gift Form that is on the Maryland ABLE website. Then they mail the form with a check.

### **How do you set up your gifting page?**

First you sign into your account. Then you click on “Create a gifting page” and follow a few quick steps.

Once you have set it up, you will get a link to your gifting page. You can send the link to your friends and family. You can also post it on your social media.



Deposits from friends and family count toward the \$15,000 you can deposit in your ABLÉ account each year. If you reach this limit, people can still see your gifting page. But the page will not let anyone put money into your account until next year.

### **Do friends and family pay a fee when they deposit money using your gifting page?**

It depends on how they chose to put money in your account. There is no fee when they move money from their bank account to your ABLÉ account. There is a small fee when family or friends use a debit card. Check with Maryland ABLÉ, or go to the Program Disclosure Booklet on their website for more information.

### **How will you know when someone puts money into your ABLÉ account?**

When family and friends put money into your account, you get an email letting you know. You also can check your account online. There is an “Activity” section that will show all deposits.

### **What should you do if you no longer want to have an online gifting page for your ABLÉ account?**

No problem! You can close your gifting page anytime you want. You just sign into your account and follow the directions. If you do that, all of the money family and friends gave you stays in your account.

You can set up a gifting page again anytime you want.

### **Can you put Social Security benefits into your ABLÉ account?**

Deposits to an ABLÉ account can come from your Supplemental Security Income (SSI) and Social Security Disability Insurance (SSDI).\*\*\* Remember that all deposits, no matter where they come from, count toward the limits described above.

\*\*\*The Social Security Program Operations Manual, dated April 16, 2020, says you can choose to have your SSI and SSDI sent directly to your ABLÉ account.

## **What happens if deposits to your ABLÉ account go over the limits?**

Remember there are two limits on your account:

1. You can only deposit \$15,000 each year into your ABLÉ account, and
2. You can make deposits until you have \$500,000 in your account.

A deposit you or someone else makes will be returned if:

- It would make the total amount of money deposited in your account more than \$15,000 in a year (more if you qualify for more because you work), or
- It would make the total amount of money in your account go over \$500,000.

If you see that Maryland ABLÉ accepted a deposit by mistake that put your account over these limits, you must contact the Program Manager. Ask the Program Manager to return the deposit before you file your taxes. If the money is not returned, you will pay more taxes.

## **What happens if you have no money in your ABLÉ account?**

The Maryland ABLÉ program may close your account if:

- You spend all of the money in your account, and
- It stays empty for 12 or more months.

You will have to re-apply if you want an ABLÉ account again.



# Rollover Options



You can move your ABLE account from one state to another. You can also move money from a college savings plan account to an ABLE account. Learn when that can happen and the rules you have to follow.

In the last section, we talked about different ways you and others can deposit money into your account. In this section, we will talk about other ways money can be moved into your account. These are called “rollovers” because the money moves from one account to another account.

It is important to remember that money that moves into your account through a rollover counts toward the \$15,000 total that can be deposited each year.

## What are the different ways you can move money from one account to another?

### 1. You can move money from an ABLE account in another state to a Maryland ABLE account.

If you have an ABLE account in another state, you can open a Maryland ABLE account and move all of your money over. If you want to do this, you start by filling out and sending in the ABLE to ABLE Rollover Form. This form is on the Maryland ABLE website. You do this when you apply to open your Maryland ABLE account.

There are two ways to move money to your new Maryland ABLE account from another state’s ABLE program:

**Direct rollover:** You have the ABLE program in the other state send your money directly to Maryland ABLE. In a direct rollover, the old and new programs take care of closing the old account. They move the money to the new account for you.

**Indirect rollover:** You to take the money out of your old account. You then deposit it with Maryland ABLE.

After you take your money out of the account in the other state, you must close that account within 60 days. This is because you are only allowed to have one ABLE account at the same time. You have 60 days to close the old account and put the money into your new Maryland ABLE account. If it takes longer than 60 days, you will pay taxes on the money you moved over to Maryland ABLE. If you miss the 60 day deadline, the money in your account will be counted as a resource when the Social Security Administration decides if you qualify for SSI. See the Benefits section on page 47.



The same is true if you have a Maryland ABLE account and want to move your funds to an ABLE account in another state that is open to out of state residents. If you want to do this, you should contact the other state's ABLE program for their forms.

You can only rollover your ABLE account funds from one state program to another state program one time every 12 months.

## **2. You can move money from your ABLE account to an ABLE account owned by a brother or sister.**

If you have a brother or sister with an ABLE account, you can move money from your account to theirs.\* You can move some of your money or all of it using the ABLE to ABLE Rollover Form.

It is very important to put the money you take out of your account into your brother or sister's account within 60 days. If you don't, you will pay taxes on that money. You will also pay taxes on the money if you move it to an account that is not owned by a brother or sister. See the Tax section on page 61.

## **3. You and others can move money from college savings accounts into your ABLE account.**

Money from a qualified college savings account (also called "529 accounts") can also be moved to your ABLE account.\*\* Currently, federal law says that must be done by December 31, 2025. This may be extended by Congress in the future. The college savings account can be in Maryland or any other qualified college savings plan. You or a family member must be the beneficiary of the college savings account to rollover money into your ABLE account. For this type of rollover, family members include:

- Husband or wife
- Mother, father, stepmother, or stepfather
- Brother, sister, stepbrother, or stepsister
- Son, daughter, stepson, stepdaughter, or their children
- Aunt or uncle
- Niece or nephew
- Son-in-law, daughter-in-law, father-in-law, brother-in-law, or sister-in-law
- The husband or wife of anyone on the list above
- First cousin

To move money from a college savings account to your ABLE account, the person that owns the college savings account must fill out and send in a form. It is called the 529 College Savings to ABLE Rollover Form. It is on the Maryland ABLE website.

Just like with ABLE to ABLE rollovers, there are two ways to do this. The college savings program can send the money directly to Maryland ABLE. Or the owner of the college savings account can take the money out of that account and deposit it into your ABLE account.

\*This can be a stepbrother or stepsister who has an ABLE account. It also includes brothers and sisters that were adopted.

\*\*College savings accounts are accounts people set up for themselves or a family member to help save money for college.



The owner of a college savings account will not pay taxes on money rolled over into your ABLÉ account. The money **MUST** be deposited in 60 days or less after they take it out of their account.

### **Can you have an ABLÉ account and a college savings account?**

Yes, you can have an ABLÉ account and a college savings account at the same time.



# Withdrawing Money from Your ABLER Account



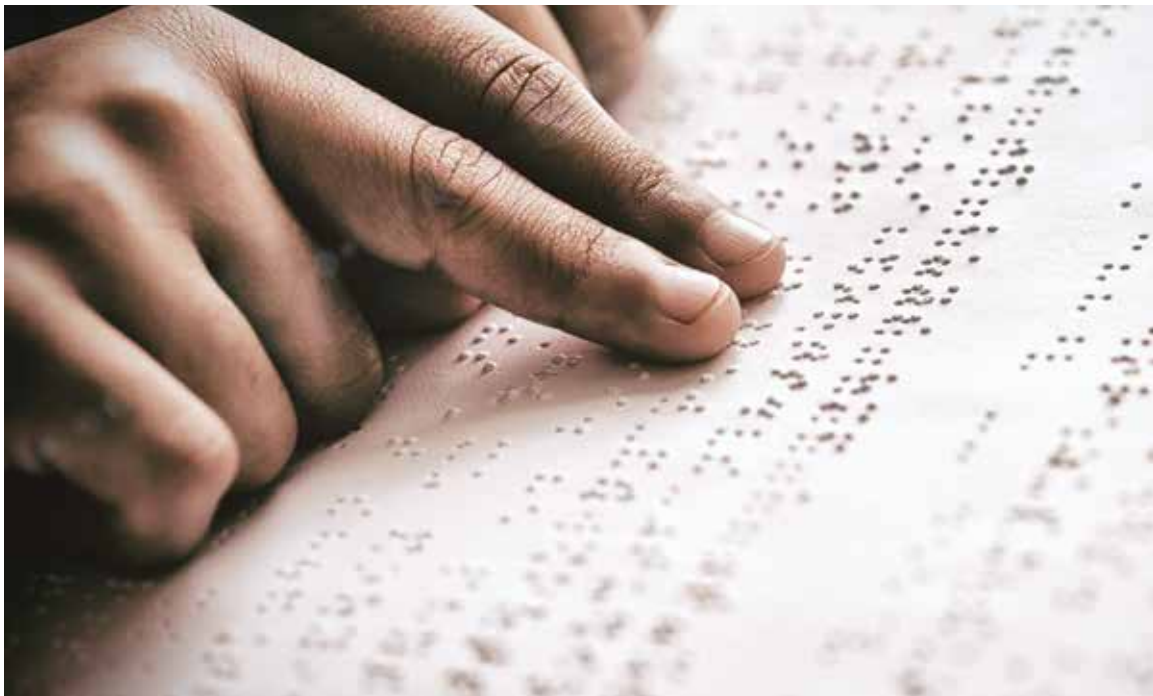
Find out about the kinds of things you can use the money in your ABLER account for. Learn the ways you can take money out of your account to pay for them.

## What can you use the money in your ABLER account for?





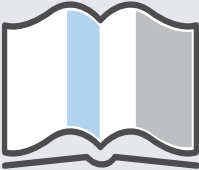

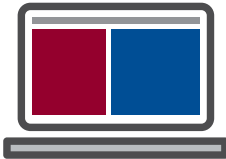



The money in your account has to be used for qualified disability expenses (QDEs). Remember that QDEs help you support or improve your health, independence, and quality of life. That can be many different things. And can be different for each person with an ABLER account.

It is up to you to decide if something you want to spend your ABLER account money on will help you with your health, independence, or quality of life. You should keep track of what you pay for with the money from your account. This is important because the Internal Revenue Service (IRS) could check to make sure you only spent it on QDEs.

ABLE accounts can pay for many different things. The chart on the following page can help you better understand what QDEs are. This does not include all qualified disability expenses.



# EXAMPLES OF QUALIFIED DISABILITY EXPENSES

Basic Living Expenses		Housing	
	<ul style="list-style-type: none"> <li>&gt; Food</li> <li>&gt; Gas</li> <li>&gt; Electricity</li> <li>&gt; Water</li> <li>&gt; Trash pick up</li> <li>&gt; Sewer</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Rent</li> <li>&gt; Mortgage (including property insurance)</li> <li>&gt; Property taxes</li> </ul>
Health & Wellness		Transportation	
	<ul style="list-style-type: none"> <li>&gt; Medical bills</li> <li>&gt; Medications</li> <li>&gt; Exercise services and equipment</li> <li>&gt; Wheelchairs, walkers, hospital beds, and other durable medical equipment</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Car, including gas and repairs</li> <li>&gt; Bus</li> <li>&gt; Subway</li> <li>&gt; Uber/Lyft</li> <li>&gt; Taxi</li> <li>&gt; Train</li> <li>&gt; Plane</li> </ul>
Education & Training		Support	
	<ul style="list-style-type: none"> <li>&gt; Textbooks</li> <li>&gt; Tuition</li> <li>&gt; Certification programs</li> <li>&gt; Trade school</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Personal assistant services</li> <li>&gt; Attendant care services</li> <li>&gt; Other direct support</li> </ul>
Assistive Technology		Employment	
	<ul style="list-style-type: none"> <li>&gt; Computer and tablet, like iPad</li> <li>&gt; Screen reader</li> <li>&gt; Apps</li> <li>&gt; Hearing aids</li> <li>&gt; Communication devices</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Certification and licensing fees</li> <li>&gt; Uniforms</li> <li>&gt; Job coaching</li> <li>&gt; Other work related expenses</li> </ul>
Financial Management & Legal Fees		Burial Fees & Expenses	
	<ul style="list-style-type: none"> <li>&gt; Tax preparation</li> <li>&gt; Financial Advisor services</li> <li>&gt; Lawyer fees</li> <li>&gt; Court fees</li> </ul>		<ul style="list-style-type: none"> <li>&gt; Pre-planning fees for burial</li> <li>&gt; Funeral and burial expenses</li> <li>&gt; Prepaid cemetery plots</li> </ul>

## Who can withdraw money from your ABLÉ account?

Only you – or your Authorized Legal Representative (ALR) if you have one – can take money out of your account.

## How do you withdraw money from your ABLÉ account?

You can take money out of your account any time you want. It is easy. You can do it online, by mail, or by calling Customer Support. All you have to do is decide how much you want to withdraw and where you want the money to go. You can:

### **1. Move money from your ABLÉ account to the bank account that you have connected to your ABLÉ account.**

This is called an electronic transfer because it goes directly into your bank account. We already talked about how you can connect your ABLÉ account to a bank account. Once the money has been sent to your bank account, you can pay for your qualified disability expenses by taking cash out of your bank account. You can also write a check, if it is a checking account.

OR

### **2. Move money from your ABLÉ account to an ABLÉ Visa “prepaid card.”**

The prepaid card can be used online, in stores, and with services that accept VISA cards. The prepaid card is another way to have access to the money in your ABLÉ account without affecting your benefits. See the gray box on the next page.

OR

### **3. Request a withdrawal by mail.**

You can also withdraw money from your ABLÉ account by filling out and mailing in a form. The Withdrawal Form is on the Maryland ABLÉ website. You can move money to your bank account or get a check sent. The check can be made out to:

- You,
- Your Authorized Legal Representative (ALR), or
- Someone else. For example, if you are paying for rent, you could have the check sent to your landlord.

If you want a check sent, there is a small fee. See the Cost section on page 59.



## **THE PREPAID CARD IS ALWAYS READY TO GO.**

**The ABLÉ Visa prepaid card makes it quick and easy to get money from your ABLÉ account. These are the many reasons to use a prepaid card to pay for your qualified disability expenses:**

- It's easy – it only takes a few steps to sign up for a prepaid card.
- You, your ALR (if you have one), or both of you can get a card.
- You simply go to your account online and say how much money you want moved from your ABLÉ account to your card. Then you are ready to go!
- You can put a little or a lot of money on your card based on your needs – up to \$5,000 a day. \$20,000 is the most you can have on your card.
- You can use your card online, in stores, and for services anywhere in the United States that accepts VISA cards.
- You can choose how much you spend for certain types of things.
- Your card account online will show all of the purchases you make. This is an easy way to keep a record of how you spend your money.
- You can even save receipts and notes online in your card account. That makes them easy to find if you ever need them to share with the IRS, Social Security, or Medicaid.
- Using a prepaid card helps keep records of your ABLÉ money and what you spend it on separate from your checking or savings accounts. This makes it easier to find this information if you ever need it.
- The money on your card will not affect qualifying for Medicaid or SSI benefits.



## **Are there fees?**

There is a low monthly fee when you have a prepaid card. There is also a fee if you ask for a check when you take money out of your ABLE account. There are no fees when money is moved from your ABLE account to your connected bank account. See the Cost section on page 59 to learn more.

## **How soon can you withdraw your money after it is deposited in your ABLE account?**

You can withdraw money that you or your ALR put in your account 5 business days after it was deposited. You can withdraw money that other people put in your account 20 business days after it was deposited. “Business days” are Monday through Friday, unless there is a holiday when banks are closed.

## **Do you have to spend the money the same month you take it out of your ABLE account?**

If you **do not** receive SSI, it doesn't matter when you spend the money you withdraw.

If you **do** receive SSI, and you use the money for rent or a mortgage, you **must** make the payment the same month you withdraw it from your ABLE account.\* If you don't, it may affect your SSI eligibility. See the Benefits section on page 47 for more details and examples. This time limit **does not** apply to any other qualified disability expense (QDE).

## **What happens if you use money in the ABLE account for something that is not a qualified disability expense?**

If you take money out of your ABLE account for something that is not a qualified disability expense, you could end up paying taxes on the money that you earned on that amount. This could also affect your eligibility for SSI benefits, Medicaid, or other benefits you need. See the Tax section on page 61 and the Benefits section on page 47 for more information.

## **What happens if you withdraw money and then put it back into your ABLE account?**

If you take money out of your account and want to put it back in, it will be treated like it is a new deposit. This means that it will count again towards your \$15,000 annual limit for deposits. This will happen even if you made a mistake when you took it out. The money you took out will be a “non-qualified withdrawal.” That's because the money was not used for a qualified disability expense (QDE).

It is important that you understand this because it might affect your taxes and eligibility for benefits. There is more information in the Tax section on page 61 and the Benefits section on page 47.

\*Most people borrow money from a bank to buy a house. You have to pay the money back. A mortgage is a legal agreement you have with the bank. It says how much you pay back and when you pay it back.



## **IMPORTANT RECORDS TO KEEP**

You are responsible for making sure you use the money in your ABLE account for qualified disability expenses (QDEs). The Maryland ABLE program does not keep track of this. But the Internal Revenue Service (IRS) can ask to see records. So it is important to keep a copy of receipts for everything you pay for with the money in your ABLE account. If it helps you remember, you might also want to keep some notes. Your notes could say how each expense helped support or improve your health, independence, or quality of life. This will help make sure you do not have to pay taxes on the money you took out of your ABLE account.



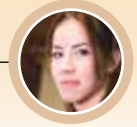
# Benefits of ABLE

	PAGE
Social Security, Medicaid, and Other Public Benefits .....	47
Investment Options .....	53
Cost of Having an ABLE Account .....	59
Tax Information Related to Maryland ABLE Accounts .....	61
ABLE Accounts and Special Needs Trusts .....	67
Reporting .....	71
Final Thoughts .....	73





# Social Security, Medicaid, and Other Public Benefits



Learn how you can have an ABLE account and not lose the federal and state benefits you count on.

Many people with disabilities need federal and state benefits to help them stay as healthy and independent as possible. Examples are Supplemental Security Income (SSI) and Medicaid. These programs limit how much money and other resources you can have and still qualify for benefits. That makes it hard for people to meet all of their needs.

That is one reason ABLE accounts were created. They give you a way to keep important benefits while saving money for your qualified disability expenses (QDEs).

## What are federal and state benefits?

These are some of the federal and state benefits people with disabilities count on:

- Supplemental Security Income (SSI)
- Social Security Disability Insurance (SSDI)
- Medicaid
- Rental Assistance (for example, Section 8)
- Supplemental Nutritional Assistance Program (SNAP - food stamps)
- Temporary Assistance to Needy Families (TANF)

When these programs decide if you qualify for benefits, they look at the resources you have. Each program has different rules about what resources they count. Resources can be money and savings in bank accounts. They can also be stocks and bonds and things you own that are worth money.

The Social Security Administration calls these “countable resources” because they count them when they decide if you qualify for SSI benefits.

The great news is that these programs do not count the money in your ABLE account when they decide if you qualify for benefits – if you use it for qualified disability expenses. There is a limit with SSI that we discuss on the next page.



**You can save money in an ABLE account and still qualify for federal and state benefits like SSI, Medicaid, and Section 8 rental assistance. You MUST use the money for qualified disability expenses (QDEs).**

## How much can you save in your ABLÉ account and keep your benefits?

Here are a few important things to know:

- You can have up to \$100,000 in your ABLÉ account and it will not be counted when the Social Security Administration decides if you qualify for SSI. Only the amount of money over \$100,000 in your account is counted.
- For all other federal and state benefits, it does not matter how much money is in your ABLÉ account.

### KEEPING SSI



#### AN EXAMPLE: MEET LEE

Lee needs \$300 to help pay for a new wheelchair. She moves \$300 from her ABLÉ account to her prepaid Visa card. When she gets the wheelchair, Lee pays the company \$300 using her prepaid card. Since the wheelchair is a qualified disability expense, the \$300 is not counted by the Social Security Administration, so Lee keeps her SSI.

## How is your SSI affected by the money in your ABLÉ account?

The Social Security Administration lets people who receive SSI have up to \$2,000 in countable resources. Couples can have \$3,000. Once you reach this limit, your SSI benefits get lower as your countable resources get higher. If your countable resources get too high, SSI benefits will stop.

This is how the money in your ABLÉ account is counted when the Social Security Administration looks at how many resources you have:

- If you have \$100,000 or less in your ABLÉ account, the Social Security Administration **does not** count it. This amount does not affect your SSI.
- Any money over \$100,000 in your account **does** count towards the \$2,000 limit. This could affect your SSI eligibility.

This is how your SSI benefits are affected:

- The Social Security Administration counts the money in your ABLÉ account that is over \$100,000. They also count money you have in bank accounts and other resources. These are your countable resources.

- You will stop getting your SSI benefits if your countable resources go over \$2,000. You will keep your Medicaid benefits even if your SSI benefits stop because of the money you have in your ABLE account and bank account.
- You will get your SSI benefits again in any month you do not have more than \$2,000 of countable resources. This could happen when you spend money in your ABLE account and your balance goes below \$100,000.

## Should you contact the Social Security Administration to start your SSI benefits again?

Maryland ABLE sends the Social Security Administration (SSA) monthly reports about the amount of money in your account. The SSA uses this and other information to decide if you qualify for SSI benefits. If your countable resources go below \$2,000, you should contact SSA. This will help make sure there is no delay in getting your SSI checks started again.

### WHEN COULD YOU LOSE SSI?



#### AN EXAMPLE: MEET KAY

Kay's parents make a new deposit to her ABLE account and she now has \$101,000. She also has \$1,500 in a bank account. She doesn't have any other resources. To stay eligible for SSI, Kay can't have more than \$2,000 in resources that the Social Security Administration counts.

The resources that count are: \$1,000 in Kay's ABLE account (the amount over \$100,000) and the \$1,500 in her bank account. This adds up to \$2,500.

The Social Security Administration stops sending Kay SSI checks because this is more than the \$2,000 limit. But Kay keeps her Medicaid benefits.

Two month later, Kay withdraws \$800 from her ABLE account to pay medical bills. She now has \$100,200 in her account ( $\$101,000 - \$800 = \$100,200$ ).

Social Security counts \$200 from her ABLE account (the amount over the \$100,000) and the \$1,500 from her bank account. This adds up to \$1,700. This is less than \$2,000, so Kay qualifies for SSI again.



## What happens if you use money from your ABLÉ account to pay for things that are not qualified disability expenses?

The Social Security Administration will count the money you use to pay for things that are not qualified disability expenses as a resource. You could risk losing your SSI benefits if you have too many resources.

### PAYING FOR UNQUALIFIED DISABILITY EXPENSES



#### AN EXAMPLE: MEET EDWARD

Edward takes \$50 out of his ABLÉ account in February to buy a birthday present for his mother. This is not a qualified disability expense because it has nothing to do with Edward's health, independence, or quality of life. The \$50 counts toward the \$2,000 resource limit in February.

## How soon do you have to spend the money after you withdraw it from your ABLÉ account?

You can take money out of your account and use it whenever you need it. The only time you have to pay for something in the same month you take the money out of your account is when you have SSI and want to make a rent or mortgage payment.

If you withdraw money one month and pay your rent or mortgage in a different month, the Social Security Administration will count the money you took out as a resource. This could affect your eligibility for SSI.

### USING YOUR ABLÉ ACCOUNT TO PAY FOR RENT



#### EXAMPLES: MEET CHRISTY AND DYLAN

*The Right Way*—Christy moves \$500 from her ABLÉ account to the bank account she has connected to her ABLÉ account on August 20. The money stays in her bank account until she withdraws \$500 on August 30 and pays her September rent. The \$500 is not counted by Social Security because Christy withdrew the money in August and also spent it in August for her rent. She continues to receive SSI.

*The Wrong Way*—Dylan moves \$500 from his ABLÉ account to his connected bank account on August 20. The money stays in his bank account until he withdraws \$500 and pays his landlord on September 1. The \$500 is counted by Social Security. That's because Dylan did not pay his rent in the same month he took it out of his ABLÉ account. This could affect his eligibility for SSI.

## **What happens to the money in your ABLÉ account when you die?**

The money in your ABLÉ account can be used to pay for funeral and burial expenses. It can also be used to pay for unpaid bills for qualified disability expenses (QDEs). The rest goes into your estate.\*

## **Does Medicaid take any of the money in your ABLÉ account when you die?**

If you have an ABLÉ account and you use Medicaid services, the ABLÉ Act says the state Medicaid program can take money from your account after you die. The money would be used to pay the state back for the cost of the Medicaid services you used. The great news is Maryland passed a law that says Maryland Medicaid will not do this unless other federal laws require it.

If you live in another state, check with your state's Medicaid program to see what their policy is.

## **Does it matter if you live in a state other than Maryland?**

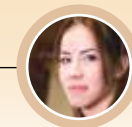
Everything we have discussed about federal benefits is true for everyone. It doesn't matter what state you live in. But the rules are different in each state when it comes to qualifying for state benefits.

If you live in Maryland, the money in your ABLÉ account is not counted when you apply for state benefit programs. If you live in a different state, you should check to see if your state will count the money in a Maryland ABLÉ account when it looks at eligibility for your state's benefit programs.

\*Your "estate" is the money, investments, and other things you own that are left when you die.



# Investment Options



When you open an account, you get to make a choice if you want to put your money into a cash option or invest in stocks and bonds. Learn about each option.

## **What happens to the money that is deposited into your ABLÉ account?**

You choose where to put your money. This includes whether to invest any of it in stocks and bonds with the goal of earning you money. It is not a sure thing that your investments will make you money. You could make money, but you could also lose money.

## **What are earnings and losses?**

“Earnings” include interest you make from the money you put in the Cash Option. It also includes increases in value to the ABLÉ Conservative, ABLÉ Moderate, or ABLÉ Aggressive Investment option when you invest in one of them.

“Losses” include any decreases in value to the money you put in the Cash Option or the Investment Options.

## **What options can you pick from?**

There is one “Cash Option” and three different “Investment Options.” When you open your account, you can choose to:

- Deposit all of your money in the Cash Option,
- Invest all of your money in one of the Investment Options, or
- Split your money between the Cash Option and one of the Investment Options.

If you decide to split the money in your account, you have to put at least 10% of it in one Investment Option. For example, if you want to deposit \$10,000 into your account, and want to split it between the Cash Option and an Investment Option, at least \$1,000 has to go to the Investment Option you choose.

## What should you know about each option?

### CASH OPTION

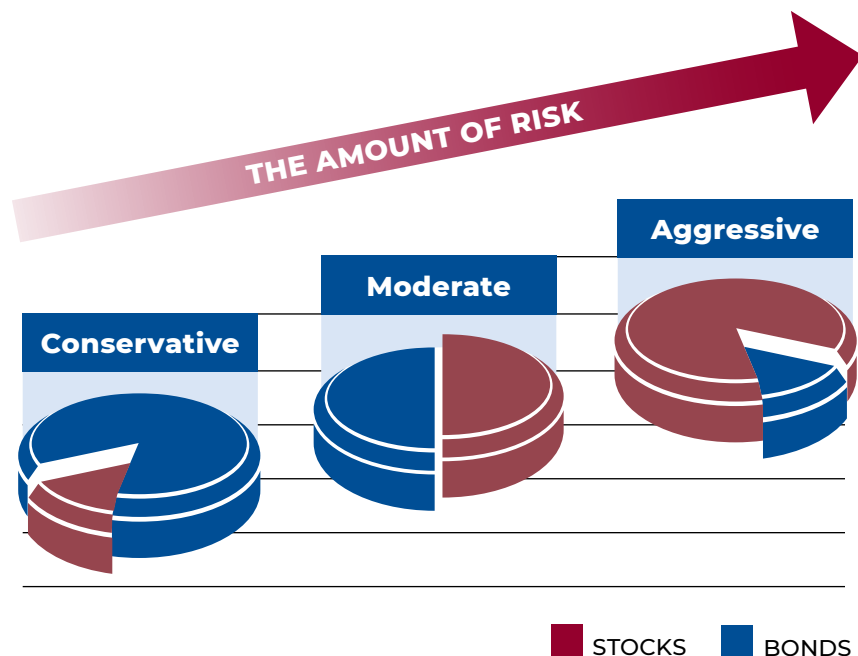
This is a like a savings account.

- There is less risk that you will lose money, but you could lose money if federal interest rates go below zero.
- Any money you earn on the money in your account is called “interest.”
- Up to \$250,000 of your money in the Cash Option is insured.\* This means that if something happens to the bank where your ABLE account money is, you will not lose up to \$250,000. You could lose any amount over \$250,000. This is unlikely to happen, but it is possible.

### INVESTMENT OPTIONS

The different Investment Options are called ABLE Conservative, ABLE Moderate, and ABLE Aggressive.

These options use your money to buy different amounts of stocks and bonds. The value of stocks changes often. So the more money you have in stocks means the more chance there is that you could earn money. There is also more risk that you could lose money.

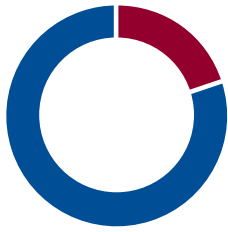


You will see on the following chart that there are good things about each Investment Option and risks you should think about. When we talk about “risks” we mean you could lose money.

\*It is insured by the Federal Deposit Insurance Corporation (FDIC). The FDIC is an independent agency created by Congress.

# MARYLAND ABLE INVESTMENT OPTIONS

## ABLE Conservative



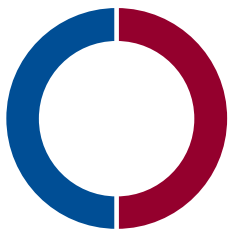
20% STOCKS  
80% BONDS

This Investment Option is designed for people who plan to have their money invested for just a short period of time.

This option puts the smallest amount of your money in stocks. 20% of the money that goes to this option buys stocks and 80% buys bonds. For example, if you put \$1,000 into this option, \$200 would be used to buy stocks and \$800 would be used to buy bonds.

The goal is to take care of your contributions while making some income. This is not guaranteed and you could lose money.

## ABLE Moderate



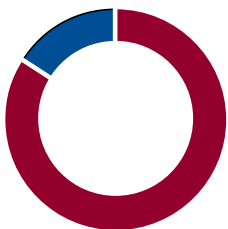
50% STOCKS  
50% BONDS

This Investment Option is designed for people who may not know if they want to invest their money for a short or long time.

Half (50%) of the money that goes to this option buys stocks and the other half (50%) buys bonds. For example, if you put \$1,000 into this option, \$500 would be used to buy stocks and \$500 would be used to buy bonds.

By putting half of your money in bonds and half in stocks, this option tries to balance the possibility of earning money with the possibility of losing money.

## ABLE Aggressive



84% STOCKS  
16% BONDS

This Investment Option is designed for people who want the most chance of earning money from their investments. And they expect to invest their money for 10 or more years.

This option puts most of your money in stocks. 84% of the money that goes to this option buys stocks and 16% buys bonds. For example, if you put \$1,000 into this option, \$840 would be used to buy stocks and \$160 would be used to buy bonds.

The goal of this option is to make earnings over the long-term. This is done by investing most of your money in stocks with some money in bonds. This comes with greater risk of losses over short periods of time. But it may give the greatest potential for earnings over a long time period.



## **YOU COULD MAKE MONEY OR LOSE MONEY WITH INVESTMENTS.**

It is important to remember that your investments could make money or lose money. Some people are ok with that risk, but others are not. Talk to people you trust and people that have experience with investments to decide what the best choice is for you.

### **Who decides what stocks and bonds to invest in?**

The Maryland 529 Board determines what investment options are offered by the Maryland ABLE program. The Board consults with experts, including an investment adviser, to review and monitor investment options.

### **What should you think about when deciding what option is best for you?**

There are good things about the Cash Option and the three Investment Options. There are also things that might not be good for you. These are the important things to know and think about when you are deciding what choice is best for you:

- **What will you need your money for and when will you need it?**

Money is usually set aside in the Cash Option when:

1. You will need it soon, or
2. It is for on-going spending needs.

Money is usually set aside in an Investment Option when you don't think you will need the money for a while.

- **How comfortable are you with the possibility that your investments could lose money?**

Picking an Investment Option might be right for you if:

1. You like the idea of possibly earning money by investing it, and
2. You are ok knowing it is not a sure thing.

Please keep in mind that if an Investment Option earned people money in the past, it does not mean it will do the same thing now or in the future.

The Maryland ABLE Program Disclosure Booklet has more information about the Cash Option and Investment Options. The Program Manager and Maryland ABLE staff can give you more information about how these options are different. They can't tell you which one to pick.



It is a good idea to sometimes go back and look at the options you chose. When you do, you can decide if you want to make any changes. The questions that are listed on page 56 can help you do this.

## **Where can you learn more about financial planning, including investing?**

It can be hard to understand financial planning, including investing. Here are some resources that might help:

- [investor.gov/introduction-investing](https://investor.gov/introduction-investing)
- [handsonbanking.org](https://handsonbanking.org)
- [mdcashacademy.org](https://mdcashacademy.org)

## **What changes can you make after you set up your ABLÉ account?**

You may decide after you open an account that you want to change where the money in your ABLÉ account goes. The good news is that you are allowed to make changes. You can make changes in the options you choose up to two times each calendar year. Here is what you can choose to do:

- **If you have all of your money in the Cash Option, you can add one Investment Option.**

You would then choose how to split the money in your account between the two options.

- **If you have all of your money in an Investment Option, you can add the Cash Option.**

You would then choose how to split the money in your account between the two options.

- **If you have the Cash Option and an Investment Option, you can drop one of them.**

All of your money would be moved to the option that you keep.

- **If you want to keep the Cash and Investment Option you have, you can change how your money is split between them.**

- **You can move all of your money from one Investment Option to another Investment Option.**

You can only have one Investment Option, so you must move all of your money.

You can only move money from one option to another two times a year.

If you make changes that include an Investment Option, remember that at least 10% of the money in your account must go to the investment.

You can make these changes by going to your account online and following a few easy steps.

## **SPLITTING MONEY BETWEEN THE CASH OPTION AND AN INVESTMENT OPTION**



### **AN EXAMPLE: BILL**

Bill now has 75% of his money in the Cash Option and 25% in the ABLE Conservative Investment Option. He decided he wants to start investing more of his money. It is easy to make the change to his account online. He changes to 40% in the Cash Option and 60% in ABLE Conservative. The Program Manager moves some money in Bill's Cash Option to his Investment Option to get the new 40% - 60% split.

### **What happens to the money that your investments make?**

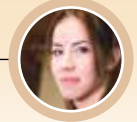
The money your investments make is called "earnings." Earnings you make are deposited into your ABLE account. The earnings count toward the balance in your ABLE account. This means that they count toward the \$100,000 used when looking at SSI limits. They also count toward the total \$500,000 you are allowed to have in your account. Once you have \$500,000 in your account, investment earnings can still be added. But no other money can be put into your account by anyone until your balance goes under \$500,000.

The money that your investments make does not count toward the amount you can deposit each year.

### **What else should you know about the Investment Options?**

Maryland ABLE can change the Investment Options that account holders can choose from at any time. They can also change the bank that handles deposits to the Cash Option. They will let you know if any changes are made.

# Cost of Having an ABLE Account



Learn about the fees you will pay when you have an account.

Maryland ABLE wanted to be sure that ABLE accounts were as low cost as possible. The list below includes the most important fees you should know about.

**Account maintenance fee:** This is a fee that all account holders pay each year. It comes out of your account every three months. You only pay for the time that you have the account. That means if you open your account later than January, you don't pay the whole fee the first year. This fee has been \$35 since the program started in 2017. It is one of the lowest fees in the country to have an ABLE account. This fee helps Maryland ABLE pay for things that keep everything running smoothly.

**Prepaid card fee:** If you choose to have an ABLE Visa prepaid card, you will pay a low monthly fee. You can find out what the current fee is on the Maryland ABLE website or by contacting Customer Support. The fee is also listed in the Maryland ABLE Program Disclosure Booklet. This fee is the same no matter how many times you use it each month. If you and your Authorized Legal Representative (ALR) both have an ABLE Visa prepaid card, you will be charged the monthly fee for each card. If you lose your card, it will cost \$5 for a new one.

**Check fee:** If you ask for a check to be mailed to you or someone else when you withdraw money, you will pay \$2.50 for each check.

**Asset-based fees:** You will pay a fee on money you have in the Cash Option and in an Investment Option. The fee is different for each option. All of them are pretty low. They are listed in the Maryland ABLE Program Disclosure Booklet on the Maryland ABLE website.

**Paper statement fee:** Every three months you will get a report that gives you information about the money you have in the Cash and Investment Options. You will pay no fee if you choose to get these reports online. You will pay \$10 each year if you want to have your reports printed and mailed.

Check the Maryland ABLE Program Disclosure Booklet to see a list of all other fees.

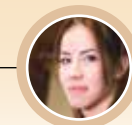


## **DO YOU HAVE TO HAVE A LOT OF MONEY TO HAVE AN ABLE ACCOUNT?**

**No! ABLE accounts can work for almost everyone. That is because deposits can be as little as \$10 and fees are low.**



# Tax Information Related to Maryland ABLE Accounts



Understand the tax benefits you and others who put money into your account get with a Maryland ABLE account.

One of the really good things about having a Maryland ABLE account is that you may get some tax benefits. Family and friends who deposit money into your account get tax benefits too if they file Maryland taxes. This means that you and other people who put money in your account may pay less Maryland tax.

For this to happen, you must be eligible to have an ABLE account. You must also follow all the rules we have discussed in this guide. The good news is that this is not hard to do. And it's easy to get help from Maryland ABLE if you have questions.

## What are the two main tax benefits?

### 1. You do not pay state or federal taxes on:

- The earnings from the money you have in your ABLE account, or
- The money you withdraw from your account when you use it for qualified disability expenses (QDEs).

Earnings include any interest you make from the money you put in the Cash Option. It also includes any increases in value to the ABLE Conservative, ABLE Moderate, or ABLE Aggressive Investment Option.

### 2. Anyone who deposits money in your Maryland ABLE account can get an “income deduction” on their Maryland State income taxes. This includes you, your family, and friends.

Taxes are based on how much income you have. So the more income you have, the more taxes you pay. Sometimes you qualify to subtract money from your income to lower how much tax you have to pay. This is called an income deduction.

You can subtract up to \$2,500 in deposits to a Maryland ABLE account from your income. This lowers the amount of income you pay taxes on. The result is you pay less in taxes.

## How much is the Maryland State income tax deduction?

People can subtract up to \$2,500 from their income on their Maryland State taxes for each Maryland ABLE account they put money into. If they deposit less than \$2,500 in a year, the income deduction is the amount they put in. Couples that file their Maryland taxes together can subtract up to \$5,000 for each Maryland ABLE account they contribute to.

Check out the examples below to better understand this:



### MARYLAND TAX BENEFITS

#### EXAMPLES:

Each of these examples shows the amount a Maryland taxpayer deposits into Maryland ABLE accounts in one year.

- **If you deposit \$2,000 in your ABLE account:**

—You can subtract \$2,000 from your income when filing your Maryland State income taxes.

- **If your uncle deposits \$2,500 in your ABLE account and \$2,500 in someone else's ABLE account:**

—He can subtract \$5,000 from his income when filing his Maryland State income taxes.

$$(\$2,500 + \$2,500 = \$5,000)$$

- **If your grandmother deposits \$2,500 in your account, \$2,500 in Bill's account, and \$2,500 in Max's account:**

—She can subtract \$7,500 from her income when filing her Maryland State income taxes.

$$(\$2,500 + \$2,500 + \$2,500 = \$7,500)$$

## What happens if someone makes a deposit to your ABLE account that is more than \$2,500?

If someone deposits more than \$2,500 into an account, the amount over \$2,500 can be subtracted from their income on their Maryland State taxes in future years. They can subtract up to \$2,500 each year after that until they have subtracted the whole amount they put into the account. They can take as many as 10 years to do this.

Here are some examples:

- If your grandmother deposits \$4,000 in your account, she can subtract up to \$2,500 on her Maryland State taxes for the year she made the deposit. She can subtract the other \$1,500 the next year. ( $\$4,000 - \$2,500 = \$1,500$ )
- If your father deposits \$7,500 in your account, he can subtract up to \$2,500 from his income when he files his Maryland State taxes the first year. He can subtract up to \$2,500 each of the following years after that until he has subtracted a total of \$7,500. He cannot skip a year. These subtractions must be completed in no more than 10 years.

### **Can people who live in other states get a deduction on their state taxes when they deposit money in a Maryland ABLE account?**

Not all states allow an income deduction for deposits to ABLE accounts. If someone living outside of Maryland wants to put money into your account, they should check with their state. They should find out if their state offers state tax benefits for investing in a Maryland ABLE account.

### **Are there any federal tax deductions for ABLE account contributions?**

No. Deposits you and others make to your account are not tax deductible on federal taxes.

### **Do your family and friends have to pay a gift tax on the money they deposit into your ABLE account?**

The “gift tax” is a tax the federal government collects. It is a tax on money or property that one person gives to another person. The good news is that some gifts are not taxed: people can give up to \$15,000 a year to as many other people as they want without paying a gift tax. This includes the money they put into your ABLE account.

The \$15,000 yearly limit on contributions to ABLE accounts is tied to this federal gift tax limit. If the gift tax limit changes in the future, so will the yearly contribution limit for ABLE accounts.



#### **DO YOU PAY TAXES ON THE MONEY YOU WITHDRAW?**

- If you use the money from your ABLE account for qualified disability expenses: You will **not pay taxes** on the money you withdraw.
- If you use the money from your ABLE account for things that are not qualified disability expenses: You will **pay taxes** on the part of the money that is from earnings.



## What happens if you use money from your ABLÉ account to pay for things that are not qualified disability expenses (QDEs)?

If you take money out of your account to pay for something that is **not** related to your health, independence, or quality of life, it is called a “non-qualified withdrawal.” This means that it **does not** qualify for the tax benefits described above.

When you withdraw money:

- Part of it is the money that was deposited in your account by you, family, and friends.
- Part is from earnings on your money.

If you make a non-qualified withdrawal:

- The part of the money you took out that was from earnings is counted as income when you do your taxes. This could increase the amount of federal and state taxes you pay.
- You also will have to pay an additional 10% tax penalty on your **federal taxes**. You pay this on the part of the non-qualified withdrawal that was from earnings.
- If you previously claimed an income deduction on your **Maryland State taxes** for contributions to your ABLÉ account:
  - You may have to count the amount spent on non-qualified disability expenses as income on your Maryland State taxes. This would happen the year you made the non-qualified withdrawal. This may increase the amount of Maryland State taxes you pay.

## What happens if you move money from one ABLÉ account to another?

In the Rollover section on page 35, we talked about how you can move money from one ABLÉ account to another. We also talked about moving money from a college savings plan to an ABLÉ account. If you follow the rules described in that section, you will not pay taxes on that money.

## What happens if you open more than one ABLÉ account at the same time?

Remember you can only have one ABLÉ account at a time unless you are rolling your account over to another state ABLÉ program. See the Rollover section on page 35. If you have more than one ABLÉ account open at the same time (and it isn't to do a rollover):

- The tax benefits we discussed above will not apply to the second account.
- The money in the second account may count toward the resource limits for federal or state benefits.

## **What happens if you no longer qualify to have an ABLÉ account?**

If you no longer qualify for Maryland ABLÉ, all withdrawals you make will be non-qualified withdrawals. This could increase the taxes you pay.

## **What happens if you close your ABLÉ account and there is money still in it?**

When you close your account and the money is returned to you, this is also a non-qualified withdrawal. This could increase the taxes you pay.

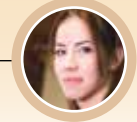


### **QUICK FACTS ABOUT TAXES**

- **Who qualifies for an income deduction on their Maryland State taxes?**  
Anyone who lives in Maryland and puts money in a Maryland ABLÉ account.
- **How does the Maryland State deduction work?**  
It lowers your “taxable income.” That’s the amount that your taxes are figured on. The lower your taxable income, the lower your taxes.
- **Is there a federal income tax deduction?**  
No.



# ABLE Accounts and Special Needs Trusts



This section will help you understand more about ABLE accounts and special needs trusts. Learn how they can work together.

One thing that sometimes confuses people is how an ABLE account is different from a special needs trust. That is understandable because they seem a lot alike. Both ABLE accounts and trusts are ways to save and use money without losing important government benefits like SSI and Medicaid. But there are some important differences.

Let's look at some of the main things we have discussed about ABLE accounts and compare them to how special needs trusts work.\*

## Who qualifies?

- **ABLE account:** You must have a disability or blindness that meets the Social Security definition of disability. It must have started before age 26.
- **Special needs trust:** There are no rules about your disability or the age it started.

## Who opens the account/trust?

- **ABLE account:** You – the person with a disability – open and manage your own ABLE account. You can have someone else do this for you. They are called an Authorized Legal Representative (ALR). It is easy to open and manage an ABLE account.
- **Special needs trust:** Someone else sets up and manages a special needs trust for you. There are more steps to set up and manage a trust. There are also more rules. They have to use a lawyer to set up a trust. It is not as easy to do.

## Who can put money in and how much?

- **ABLE account:** You, family, and friends can put up to \$15,000 into your account each year. The total amount of money in your account cannot go higher than \$500,000.
- **Special needs trust:** You cannot put money into a trust that someone else sets up for you. They can put as much money as they want in it. So can other people. There are no limits.

\*We are talking about trusts that are funded by someone other than the person with a disability like a parent or grandparent. These are called "Third Party Special Needs Trusts."

## Who makes all of the decisions?

- **ABLE account:** You decide what to spend the money in your ABLE account on. You take the money out of your account and pay for what you need. You are in control.
- **Special needs trust:** When your trust is set up, someone is chosen to make all of the decisions about the money. This person is called the “trustee.” They are in control. They do not give you money. They use the money to pay for what you need. They should work with you and use the money the way you want, but they do not have to.

## What can the money be used for?

- **ABLE account:** The ABLE account must be used for qualified disability expenses (QDEs). Money in an ABLE account can pay for food and rent. If the money is used for QDEs, you can still qualify for benefits like Supplemental Security Income (SSI).
- **Special needs trust:** Trusts can be set up to cover any kind of expense, not just disability expenses. Some trusts limit what the money can be used for. You will get less SSI benefits if money in your trust is used for food or housing costs like rent.

## How much does it cost?

- **ABLE account:** There is no fee to open an account. There is a \$35 maintenance fee each year that helps Maryland ABLE run the program. The first deposit can be as little as \$25. Each deposit after that must be at least \$10.
- **Special needs trust:** The person that sets up a trust pays a lawyer to create and manage it. There are fees when you make changes and withdraw money. The fees for a trust are higher than for an ABLE account. A trust must have a trustee. Sometimes the trustee gets paid a fee.

## Are there tax benefits?

- **ABLE account:** You can get an income deduction on your Maryland State taxes when you put money in your ABLE account. Family and friends can too when they put money into your account. This can mean you pay less tax.
- **Special needs trust:** The person who sets up your trust and puts money into it does not get an income deduction on their taxes.

Some people and their families decide to set up an ABLE account and a special needs trust. You and your family can work together to meet your different needs. And if done the right way, you will not lose government benefits.

## **Can money be moved to my ABLÉ account from a special needs trust?**

Yes. Money from your trust can be deposited in your ABLÉ account if the trustee thinks that would be a good idea.

## **Why do some people have an ABLÉ account and a special needs trust?**

Sometimes people get a large amount of money from a family member who died or from a legal case. Sometimes the amount is more than the \$15,000 ABLÉ account limit on annual deposits. More money can be saved in a trust than an ABLÉ account, so they or their family put it in a trust.

You can move money little by little to the ABLÉ account when it is needed. This helps you build up money in your ABLÉ account without going over the \$15,000 limit. It can be quicker and easier to pay for what you need from your ABLÉ account than a trust. And most important, you will be in control because you decide when and how to use the money in your ABLÉ account.

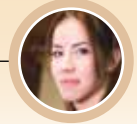
That is how an ABLÉ account and a special needs trust can work well together.





# Reporting

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See what reports Maryland ABLE sends about your account. Learn what is in each one.

The Maryland ABLE program creates three different kinds of reports. The reports include information about your ABLE account. There is a different reason for each report.

## What reports does the Maryland ABLE program create?

### 1. Account statements sent to you

- You get a report every three months. You also get a year-end statement that has information about the whole year.
- These reports include information about how much money was deposited and withdrawn. They also tell you how much money is in your account.

### 2. Reports sent to the Internal Revenue Service (IRS)

- The Maryland ABLE Program Manager sends the IRS a report each year. You get a copy of this report.
- The report includes information about deposits to your account. It also states how much money you took out. And it shows how much was from earnings.
- This report does not say if the money you took out was used for qualified disability expenses (QDEs). If you take money out for expenses that are not qualified, you are responsible for filing the right forms when you do your state and federal taxes.

### 3. Reports to the Social Security Administration (SSA)

- Each month, Maryland ABLE sends the Social Security Administration a report about everyone that has an ABLE account.
- The report includes information about how much money is in your account. It also includes how much money you took out. You do not get a copy of this report.



## IMPORTANT NUMBERS TO REMEMBER

<b>1</b>	You can only have one ABLE account.
<b>\$10</b>	Each deposit you, family, and friends make must be at least \$10.
<b>\$25</b>	Your first deposit must be at least \$25 to open an ABLE account.
<b>\$35</b>	You pay a \$35 maintenance fee each year to have an ABLE account.
<b>\$2,500</b>	Each person that puts money into an ABLE account can deduct up to \$2,500 from their income when filing Maryland State taxes. They get this deduction for each Maryland ABLE account they deposit money in.
<b>\$15,000</b>	You can deposit up to \$15,000 in your ABLE account each year – more if you work.
<b>\$100,000</b>	You can have \$100,000 in your ABLE account before your SSI benefits could be affected.
<b>\$500,000</b>	You, family, and friends can make deposits until your account reaches \$500,000.

## FINAL THOUGHTS

We have covered a lot of information in this guide. We hope you now have a better understanding of how Maryland ABLE accounts work. And how opening an account might help you save for the things you want and need.

Remember: It's easy to open an account and easy to use it. And best of all, you can use the money in your account for many different things. It is all about what you need to be as healthy and independent as possible, and have a good quality of life. All while keeping the federal and state benefits you need.

Think about taking advantage of this great opportunity. An ABLE account can help you meet the needs you have now. And it can help save for the future.

If you still have questions or you are ready to open an account, contact Maryland ABLE!

**Please carefully read the Maryland ABLE Program Disclosure Booklet and Participation Agreement. They describe investment goals, risks, expenses, and other important information. You should consider all of that before you open an account with the Maryland ABLE program. The Maryland ABLE Program Disclosure Booklet is available online or by calling Customer Support.**

**If the person who will have an ABLE account lives outside of Maryland, you should consider whether his or her state offers state tax or other benefits for investing in its ABLE program.**

**Please remember that Maryland ABLE accounts are not guaranteed. This means you could lose money if you invest in a Maryland ABLE account. Consider your investment goals, risks, and costs before investing.**



**Want More Information? Have Questions?  
Thinking About Opening a Maryland  
ABLE Account?**

Visit: [marylandable.org](http://marylandable.org)  
(for information and a live chat feature)

Email: [questions@marylandable.org](mailto:questions@marylandable.org)

Call Customer Support: Monday-Friday, 9am-8pm  
1-855-563-2253  
1-844-888-2253 (TTY)

[Facebook.com/MarylandABLE](https://www.facebook.com/MarylandABLE)  
Twitter: [@MarylandABLE](https://twitter.com/MarylandABLE)

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**Maryland Developmental  
Disabilities Council**

**[md-council.org](http://md-council.org)**

**We create change to make it possible for people with developmental disabilities to live the lives they want with the support they need.**