

# **PLAN of Massachusetts and Rhode Island**

*Planned Lifetime Assistance Network of Massachusetts and Rhode Island, Inc.*  
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## **Guidelines for Disbursement of Funds from Third Party Special Needs Pooled Trust Accounts**

9/2011

### **GUIDING PRINCIPLES**

Federal law requires that the funds in an individual's Third Party Special Needs Pooled Trust be used for the sole benefit of the Trust Beneficiary. The funds are to be used to enable the Trust Beneficiary to lead as normal, comfortable, dignified and fulfilling a life as possible. These funds are to be used to supplement public benefits. Payments of trust funds are to be made to third party vendors.

PLAN of Massachusetts and Rhode Island, as Trustee of the Third Party Special Needs Pooled Trust, has total and sole discretion in making any payment from an individual's Third Party Special Needs Pooled Trust account.

You are strongly encouraged to work with your assigned Service Coordinator when making purchases, as all payment requests must be approved before payments can be made. No payments or reimbursements are guaranteed.

**All beneficiaries are assigned a Service Coordinator to assist with the payment request process. Service Coordinators can be reached at the PLAN of Massachusetts and Rhode Island office (617-244-5552).**

### **SAMPLE USES OF FUNDS**

\*\*Note: As Trustee of the Third Party Special Needs Pooled Trust, PLAN of Massachusetts and Rhode Island refers to the donor's instructions as recorded in the Life Care Plan when reviewing trust distribution requests, along with our own evaluation as to what kind of expenditures are appropriate. The following examples are not exclusive, but illustrate the types of special, supplemental, non-support disbursements that can be made for the Trust Beneficiary from the Third Party Special Needs Pooled Trust:

- Health and dental treatment and equipment for which there are not funds otherwise available
- Rehabilitative and occupational therapy services
- Medical procedures, even though not medically necessary or lifesaving
- Medical insurance premiums
- Supplemental nursing care
- Supplemental dietary needs
- Eyeglasses
- Travel
- Entertainment
- Companion services
- Private case management
- Cultural experiences

- Vacations
- Movies
- Telephone service
- Television and cable equipment and services
- Electronic devices/appliances
- Training and education programs
- Reading and educational materials

## PROHIBITED USE OF FUNDS

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- Alcohol or pornography
- Gambling
- Note: The Social Security Administration has determined that restaurant charges and charges for food items at such places as convenience stores are payments for food. PLAN of Massachusetts and Rhode Island Special Needs Pooled Trust Funds therefore cannot be used to pay for restaurant charges or charges for items of food at convenience stores or other locations for beneficiaries who receive SSI benefits.

## REQUESTING PAYMENTS

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Beneficiaries must complete a **Disbursement Request Form** to request payment to a vendor or other Third Party from a beneficiary's account.

Methods for payment are as follows:

**1. SUBMIT THE DISBURSEMENT REQUEST FORM ALONG WITH AN ESTIMATE OR INVOICE TO PLAN of MASSACHUSETTS and RHODE ISLAND.**

First, contact the Service Coordinator for approval. A check will then be made payable to the vendor for the item(s) being purchased.

**-OR-**

**2. SUBMIT A DISBURSEMENT REQUEST FORM FOR REIMBURSEMENT TO A THIRD PARTY FOR PURCHASES MADE ON THE BENEFICIARY'S BEHALF.**

First, the beneficiary or his or her representative contacts the Service Coordinator for approval for a third party (i.e., family member, friend, or other representative) to make purchases on his or her behalf. After receiving approval, submit the Disbursement Request Form along with \*itemized receipts to PLAN of Massachusetts and Rhode Island. **No disbursements will be made if itemized receipts are not submitted along with the request form.** Copies of cancelled checks and accompanying invoices may be submitted as receipt for payment.

**Please note: Reimbursements cannot be made to beneficiaries. Reimbursements can only be made to third parties.**

-OR-

### 3. INSTRUCT VENDOR TO SEND BILLS DIRECTLY TO PLAN.

First contact PLAN of Massachusetts for approval. After receiving approval, instruct the vendor to change the mailing address on future bills to:

Beneficiary's name  
c/o PLAN of Massachusetts and Rhode Island  
1340 Centre Street, Suite 102  
Newton Centre, MA 02459

Payments will then be made directly to the vendor.

*Please Note: If bills are sent directly, PLAN of Massachusetts and Rhode Island will not forward any promotional offers or other materials sent by the vendor to the individual beneficiary.*

## PROCEDURE FOR PAYMENTS TO CREDIT CARD COMPANIES

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Credit card statements cannot be billed directly to PLAN of Massachusetts and Rhode Island. Beneficiaries may use the following procedure to request payment for purchases that are made with a credit card:

**Step 1:** After receiving approval from your Service Coordinator, use your credit card to make a purchase(s). Save the receipts!

**Step 2:** Complete a Disbursement Request Form as follows:

- For the "Make Check Payable to" section, write the name and address of the credit card company you used to make the purchase(s).
- For the "Mail Check To" section, write your name and address.

**Step 3:** Attach the receipt(s) from the purchase(s) to the Disbursement Request Form. In addition, please submit a copy of your credit card statement for our files for verification purposes. \*\*We only need a copy of your credit card statement on the first occasion you are requesting payment from that credit card.

**Step 4:** Mail the Disbursement Request Form and attached receipt(s) to PLAN of MA and RI. The request will be reviewed through our standard approval process.

**Step 5:** If your request is approved, you will receive a check payable to your credit card company for the amount of the purchase(s). **Mail the check to your credit card company when you make your next payment.**

Please also note the following when making credit card purchases:

- We will notify you if your request is not approved as an appropriate disbursement from your trust account. It is your responsibility to pay for any purchases that are not approved.

**If you are not sure if the item(s) or service(s) that you want to purchase with your credit card will be approved, please contact your Service Coordinator for pre-approval prior to making the purchase.**

- Cash advances, late fees, and other finance charges in connection with credit card transactions will not be approved. You are responsible for ensuring minimum payments are made to the credit card company by the due date.
- Processing these requests takes time, so you should count on 10 days to 2 weeks before receipt of the check.

## **PROCEDURE FOR PAYMENT OF NON-PROFESSIONAL SERVICES**

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Note: We **will not** approve payment of any non-professional services until:

- 1) We have a Service Agreement on file. The beneficiary's Service Coordinator can provide additional information regarding submission of the Service Agreement.

**and**

- 2) We have a W-9 Form on file for the individual providing the services.

Once a *Service Agreement* has been **submitted and approved** and PLAN has a W-9 on file, the service provider must complete and submit a *Statement of Service Form* for reimbursement of services provided.

**Note: \*\*PLAN of Massachusetts and Rhode Island, as Trustee, has total and sole discretion in making any payment from an individual's Special Needs Pooled Trust account. Neither the Trust Beneficiary nor any person acting on behalf of the Trust Beneficiary can require payments from an individual's account.**

**\*\*\*If the service being described under the Service Agreement is for guardian or conservatorship purposes, you are certifying that you are not being paid by a state agency or other source for providing this service.**

## ADDITIONAL GUIDELINES

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For all payment requests:

- Vendor invoices are expected to be issued monthly and allow for a standard 30-day payment period. PLAN of Massachusetts and Rhode Island may not accommodate vendors who bill more frequently or require payment in fewer than 30 days.
- While PLAN of Massachusetts and Rhode Island endeavors to make all payments to third parties in a timely manner, PLAN of Massachusetts and Rhode Island is not responsible for the payment of any late fees or interest that accrues on late payments.
- Receipts, bills and invoices that are submitted for payment or reimbursement are to include **ONLY** items and services that are for the use of the Trust Beneficiary. If a third party purchases items or services for a Trust Beneficiary, those items **must be on a separate, \*itemized receipt, invoice or bill** that **does not** contain items or services purchased for anyone other than the Trust Beneficiary. **PLEASE NOTE:** If we receive invoices that include items purchased for someone other than the beneficiary, we reserve the right to refuse payment of the disbursement request.
- If any single request for payment exceeds \$3000.00, it must be approved by the Executive Committee of the PLAN of Massachusetts and Rhode Island Board of Directors. This might result in a brief processing delay.

## EVALUATION OF PAYMENT REQUESTS

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The factors that PLAN of Massachusetts and Rhode Island applies to evaluate all requests for disbursement of funds include:

- Governmental rules and regulations
- The Trust Beneficiary's own assets, income and earning capacity
- Services and benefits to which the Trust Beneficiary may be entitled
- The complexity of the Trust Beneficiary's current special needs for health, educational, social and other services
- Current and possible gaps in public services or benefits
- The Trust Beneficiary's future needs
- The amount of funds in the Trust Beneficiary's account
- The sufficiency of documentation accompanying the request

Note: We review each request individually. Approval of a request for disbursement for an item or service one time does not mean that it will be approved again.