

**HOUSE . . . . . No. 1274**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Kate Hogan*

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to preserve special needs trusts for disabled seniors.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>2/18/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/25/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>2/25/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/25/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/25/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/25/2021</i>
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>2/25/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/25/2021</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>3/5/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>3/5/2021</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>3/5/2021</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>3/5/2021</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>3/8/2021</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>3/8/2021</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>3/17/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>3/17/2021</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>3/17/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>3/17/2021</i>

<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>3/17/2021</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>3/17/2021</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>3/17/2021</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>3/17/2021</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>3/22/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/22/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>3/30/2021</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>3/30/2021</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>3/30/2021</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>3/30/2021</i>

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By Ms. Hogan of Stow, a petition (accompanied by bill, House, No. 1274) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid. Health Care Financing.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 4227 OF 2019-2020.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Second General Court  
(2021-2022)**  
\_\_\_\_\_

An Act to preserve special needs trusts for disabled seniors.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Section 28 of chapter 118E of the General Laws, as appearing in the 2018  
2 Official Edition, is hereby amended by adding at the end thereof the following paragraph:—

3           A transfer by an individual age 65 and over into a trust that conforms to 42 U.S.C.  
4 §1396p(d)(4)(C) established for the sole benefit of said individual shall be considered by the  
5 division as a disposal of resources for fair market value, to the extent that such resources could,  
6 under any circumstances, be used by the trustee to provide goods or services to the individual at  
7 fair market value.