

**HOUSE . . . . . No. 615**

**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:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>
<i>RoseLee Vincent</i>	<i>16th Suffolk</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>
<i>Donald H. Wong</i>	<i>9th Essex</i>

<i>Brian W. Murray</i>	<i>10th Worcester</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Ruth B. Balser</i>	<i>12th Middlesex</i>
<i>Carlos Gonzalez</i>	<i>10th Hampden</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>
<i>Daniel J. Hunt</i>	<i>13th Suffolk</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>Second Hampden and Hampshire</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>
<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>
<i>John C. Velis</i>	<i>4th Hampden</i>

<i>James Arciero</i>	<i>2nd Middlesex</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>James M. Kelcourse</i>	<i>1st Essex</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>
<i>Paul F. Tucker</i>	<i>7th Essex</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>David Biele</i>	<i>4th Suffolk</i>

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By Ms. Hogan of Stow, a petition (accompanied by bill, House, No. 615) of Kate Hogan and others relative to the disposal of resources for determining eligibility for Medicaid. Elder Affairs.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
\_\_\_\_\_

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 2016  
2 Official Edition, is hereby amended by adding at the end thereof the following paragraph:—

3           A transfer of resources to a special needs trust that conforms to 42 USC §1396p (d)(4)(C)  
4 and established solely for the benefit of a disabled individual of any age shall not be treated as a  
5 disposal of resources for less than fair market value.