

## RESOURCES

### TRUST FUNDS

determining the eligibility of an A/R who is a beneficiary of a third party trust, the principal and accumulated income of the trust are not considered available to the A/R. However, any distributions of trust assets actually made to an A/R of any category are counted as income in the month received.

- Verify Status:**
- (a) When the A/R states that s/he or a member of the household is the trustee of a trust fund;
  - (b) When the A/R states that s/he or a member of the household is the beneficiary of a trust fund;
  - (c) When the A/R states that s/he or a member of the household has created a trust;
  - (d) When the A/R states that s/he has a child who was injured in an accident.

**Verification:** The local district contacts the trustee, court or financial institution involved to obtain a copy of the trust, determine the terms of the trust, and whether or not it can be invaded.

**NOTE:** Although SSI-related Medicaid A/Rs who are not seeking coverage of long-term care services (Community Coverage without Long-Term Care) may attest to the amount of their resources at application (See **RESOURCES** DOCUMENTATION REQUIREMENTS), they must provide documentation of any trust agreement in which the applicant is named the creator or beneficiary. This enables the district to determine the availability of any trust income/principal.

**Documentation:** Sufficient to establish an audit trail:

- (a) Type of trust, name of trustee, name of beneficiary, amount of trust, amount and frequency of payments derived from the trust; and
- (b) Name of person contacted for verification of trust, date of contact, determination of availability with reasonable explanation.