<table>
<thead>
<tr>
<th>DD Endowment Trust Fund</th>
<th>ABLE Act**</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>RCW 43.330.431</strong></td>
<td><strong>Federal Law PL 113-295</strong></td>
</tr>
<tr>
<td><strong>Who is it for?</strong></td>
<td><strong>Who is it for?</strong></td>
</tr>
<tr>
<td>- A person with a developmental disability, under age 65,</td>
<td>- A person eligible for SSI benefits or the</td>
</tr>
<tr>
<td>who has been determined eligible for state DDA services</td>
<td>Social Security Disability, Retirement, and</td>
</tr>
<tr>
<td>- The condition happened at the age 18 or before</td>
<td>Survivor’s program or who submits certification</td>
</tr>
<tr>
<td>- Lives in the state of Washington at the time of enrollment</td>
<td>that meets the criteria for a disability</td>
</tr>
<tr>
<td></td>
<td>certification</td>
</tr>
<tr>
<td></td>
<td>- Condition happened before age 26</td>
</tr>
<tr>
<td><strong>What is it?</strong></td>
<td><strong>What is it?</strong></td>
</tr>
<tr>
<td>- Special Needs Trust</td>
<td>- A form of 529 Account Tax Favored Qualified</td>
</tr>
<tr>
<td>- Trust 1 Third Party Trust</td>
<td>ABLE program in IRS code</td>
</tr>
<tr>
<td>- Trust 2 Self-Settled Trust</td>
<td></td>
</tr>
<tr>
<td><strong>Are there limits in contributions and spending?</strong></td>
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</tr>
<tr>
<td>- No limits on contributions</td>
<td>- $14,000 a year in contributions</td>
</tr>
<tr>
<td>- No limits on spending, except room and board for those on</td>
<td>- Maximum account balance of $86,000</td>
</tr>
<tr>
<td>SSI</td>
<td>- Spending is approved for qualified disability</td>
</tr>
<tr>
<td>- Does not affect SSI or Medicaid eligibility</td>
<td>related expenses</td>
</tr>
<tr>
<td></td>
<td>- First $100,000 does not affect SSI eligibility</td>
</tr>
<tr>
<td><strong>Are taxes involved?</strong></td>
<td><strong>Are taxes involved?</strong></td>
</tr>
<tr>
<td>- Earnings from investments are taxed when spent, if the</td>
<td>- ABLE accounts not taxed</td>
</tr>
<tr>
<td>person has taxable income</td>
<td>- 10% federal tax penalty for distributions</td>
</tr>
<tr>
<td>- Qualified Disability Trust</td>
<td>not used for qualified disability expenses</td>
</tr>
<tr>
<td><strong>What occurs if the beneficiary passes away?</strong></td>
<td><strong>What occurs if the beneficiary passes away?</strong></td>
</tr>
<tr>
<td>- Trust 1 Third Party: no pay back required</td>
<td>- Medicaid/Medical Assistance Recovery</td>
</tr>
<tr>
<td>Distributed according to Trust documents</td>
<td>regardless of contributor</td>
</tr>
<tr>
<td>- Trust 2 Self-Settled: Medicaid/Medical Assistance Recovery</td>
<td></td>
</tr>
<tr>
<td><strong>What does it cost?</strong></td>
<td><strong>What does it cost?</strong></td>
</tr>
<tr>
<td>- Enrollment fee of $600 (A payment plan option of $25 per</td>
<td>- Annual fee of $35.00</td>
</tr>
<tr>
<td>month is also offered); minimum annual management fee</td>
<td>- Annual investment fee of 0.30-0.38</td>
</tr>
<tr>
<td>$75.00; and a $75 tax prep fee. Fees are offset by a</td>
<td>depending on the investment portfolio</td>
</tr>
<tr>
<td>state match</td>
<td></td>
</tr>
<tr>
<td><strong>When is it available?</strong></td>
<td><strong>When is it available?</strong></td>
</tr>
<tr>
<td>- Individuals can enroll now</td>
<td>- Accounts may be available in summer 2017</td>
</tr>
</tbody>
</table>

**Details of the ABLE Act are subject to change, pending federal rules and state legislative action.**

For questions regarding Washington ABLE contact Peter Tassoni, Disability Workgroup Manager, Department of Commerce - (360) 725-3125 or peter.tassoni@commerce.wa.gov