

Things to consider prior to enrolling in: BC Arc Master Special Needs Pooled Trust

The administration of special needs pooled trusts are closely governed by Mass Health and Social Security, the requirements include the following:

- Trust monies can only be used for the sole benefit of the trust beneficiary. No monies can be used for a gift or for the benefit of anyone else
- Berkshire County Arc is the only person that can authorize a payment be made from the beneficiaries trust account, the trust is discretionary. A trust beneficiary nor a person such as a Power of Attorney or Guardian can force or require specific payments be made from an account.
- At no time can a check be made payable to a trust beneficiary, funds must be dispersed to a third party and adequate documentation such as a receipt must be provided.
- Once the trust is established it is irrevocable, meaning the beneficiary cannot change his or her mind.
- Upon the death of a trust beneficiary, no further disbursements other than costs associated with the closing of the account may be made. This includes any unpaid funeral expenses.
- No distributions of remainder funds will be made until one year after date of death. After deduction of final fees and expenses related to the closing of the account the remaining funds are distributed as follows:
 1. 5% during the first two years and 20% thereafter of remaining monies are retained by Berkshire County Arc to be used to aid any individual with disabilities or offset costs administering the trust.
 2. MassHealth has second rights for any money remaining in the trust.
 3. Designated beneficiaries have third rights to remaining funds.