



TRANSITION CHECKLIST



Legal Authorities

- Guardianship
 - ⌘ Full or plenary
 - ⌘ Limited
 - ⌘ Rogers or Substitute Judgement Authority for Antipsychotic Medications
- Conservatorship
 - ⌘ Full or plenary
 - ⌘ Limited or single transaction: To establish a trust, fund a trust, or deal with one transaction or one asset
- Using trusts
- Representative payee for Social Security payments
- Alternatives to guardianship and conservatorship, when appropriate
 - ⌘ Health Care Proxy
 - ⌘ HIPAA Authorization
 - ⌘ Powers of Attorney
 - ⌘ Other agency appointments, such as shared decision-making forms



Financial Management

- Does your child have any assets in their name? Many are tricky and have varying outcomes with public benefits eligibility. Things to consider:
 - ⌘ Savings bonds
 - ⌘ Joint accounts
 - ⌘ Beneficiary accounts
 - ⌘ UTMA's and UGMA's
 - ⌘ Education savings accounts
- Use Special Needs Trusts in your planning and their planning
 - ⌘ Supplemental Needs Trust (SNT) is funded with other people's money, not money of the person with the disability
- Problematic income streams
 - ⌘ Work income
 - ⌘ SSDI income over the MassHealth monthly income limit
 - ⌘ Structured settlements
 - ⌘ Child support



Elements of Adult Living

- Employment opportunities
- Vocational and post-secondary education
- Where to live and with whom
- Independent living skills
- Recreation, leisure activities, social relationships
- Self-advocacy skills
- Health and safety
- Financial benefits and income planning



School to Work

- Transition Planning Form fully developed (part of the IEP)
 - ⌘ Student's strengths and preferences
 - ⌘ Student's participation
 - ⌘ An action plan that discusses:
 - Instruction
 - Related services
 - Community experiences
 - Employment
 - Daily living skills
 - Functional and vocational evaluations
 - ⌘ Student's vision – Person Centered Planning
 - ⌘ Work experiences
 - ⌘ Chapter 688 referral – Who is the adult service agency going to be?



Public Benefits and Agencies

- Adult service agency and service plan
 - ⌘ Department of Developmental Services (DDS)
 - ⌘ Department of Mental Health (DMH)
 - ⌘ Massachusetts Rehabilitation Commission (MRC)
- Massachusetts Commission for the Deaf & Hard of Hearing
- Massachusetts Commission for the Blind
- SSI or SSDI
- MassHealth/Medicare



Things to Consider

1. Predicting the cost of your disabled child's future needs is difficult thus saving for his/her lifetime is almost impossible
2. You cannot depend on your other children to support the person with a disability. Too many things can go wrong in sibling's lives that could prevent them from doing so.
3. Some programs depend on public benefits eligibility to enroll and paying privately may not be an option.
4. You want to be declared eligible for benefits under today's eligibility rules because every year it's harder to qualify.

CONTACT SPECIAL NEEDS LAW GROUP OF MASSACHUSETTS TO SCHEDULE YOUR INITIAL CONSULTATION!

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