



# PLAN/NJ

## NEWS

### FALL 2018

THE NEWSLETTER OF PLANNED LIFETIME ASSISTANCE NETWORK OF NEW JERSEY

# DON'T MISS PLAN/NJ's 30th Anniversary: A Celebration of Abilities

By now you should have received your invitation in the mail, and we are hoping you will join us for **PLAN/NJ's 30th Anniversary: A Celebration of Abilities** from 6-8 PM on November 1, 2018. Please return your ticket order form promptly, along with your payment, or simply visit [plannj.org](http://plannj.org) and click on '2018 Celebration' to complete an online ticket purchase. All tickets will be held at the door on the evening of the event.

This year marks our 30th anniversary of service to individuals with disabilities and their families. To commemorate the occasion, we are pleased to announce the inaugural Fred R. Patterson Parent Advocate Award. Mr. Patterson was a co-founder and the first President of **PLAN/NJ**. A staunch advocate for people with I/DD, he accomplished a great deal in advancing services and policies that benefit people with disabilities to this day.

On this very special evening, as we gather to celebrate with many in our disabilities community, awards will be given to the following individuals:

**LEGISLATIVE ADVOCATE OF THE YEAR AWARD:** Senate President **Steve Sweeney**, a leading advocate impacting numerous laws to protect individuals with disabilities in New Jersey.



**FRED R. PATTERSON PARENT ADVOCATE AWARD:** **Mercedes Witowsky**, supporting individuals with intellectual and developmental disabilities (I/DD) and other disabilities for nearly 40 years, and a champion of multiple family advocacy efforts across the state; recently appointed as Executive Director, New Jersey Council on Developmental Disabilities.



**TRAILBLAZER AWARD:** **C. Vivian Stringer**, Head Coach, Women's Basketball, Rutgers University, one of the most recognizable names and faces in college basketball and the parent of a daughter with multiple significant disabilities. Ms. Stringer will also give the evening's keynote address.



**PLAN/NJ PARTNER AWARDS:** Brandon Smith, Daniel and Carmelita Blackford, and Joseph Kearns, who live to their fullest potential with coordinated care support from **PLAN/NJ**.

Music will be provided by pianist Brandon Smith, vocalist Chelsea Palermo and the Vincent Troyani Jazz Trio.

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**PLAN/NJ helps families of people with disabilities in New Jersey  
answer the question, "Who will care for my loved one when I am gone?"**

## SPOTLIGHT on Samantha Herrick, President, PLAN/NJ Board of Directors

The PLAN/NJ Board of Directors recently announced a new slate of officers, including Samantha Herrick, Ph.D., CRC, NCC, ACS, as President. After participating as a member of the PLAN/NJ Board of Directors for five years, Dr. Herrick assumed the role of President of the Board on June 1, 2018 and will serve a two-year term.

"On this 30th anniversary of PLAN/NJ," explained Dr. Herrick, "I am honored to lead an organization solely dedicated to answering the difficult question often asked by family members who have loved ones with disabilities: 'Who will care for my loved one when I am gone?' I cannot think of a greater privilege than to be able to respond to these families with certainty that PLAN/NJ will be here for their loved ones, providing uninterrupted support and care coordination, and helping them thrive."

Dr. Herrick's connection to the disability field began when she herself was diagnosed with ADHD as a sophomore in college and embarked on her personal adjustment to the disability process. Later, following graduation from college, she had a failed back surgery that resulted in a diagnosis of chronic pain. Both of these experiences influenced her decision to go into the disability services field.

"I love my field," she said. "I decided to get my doctorate so I could teach the next generation of rehabilitation counselors and thereby have a greater reach and impact on the people we serve. I became interested specifically in autism and in improving our ability to serve people with autism well. I threw myself into learning more about it, and gained a passion in the process."

Although there are certainly many marginalized populations in the human diaspora, Dr. Herrick believes that people with disabilities are the most universally maligned in our society and worldwide. "It is also the largest minority group in our society. In addition, it is a population to which anyone can become a member, and are likely to at some time in our lives. My passion for social justice dictated that I work on behalf of those who experience prejudice and discrimination."

Dr. Herrick was born and raised in Lenox, MA, attended college on a Division I basketball scholarship, and



was inducted into the New England Basketball Hall of Fame (class of 2015). She and her husband, who is also in the disability field, enjoy attending music concerts and anything related to the arts. They are particularly fond of jazz and visit NYC monthly to take in a show. She also enjoys drawing, painting, and walking their rescue dogs, Odie and Delilah.

"Dr. Herrick's unique experiences as an educator and as a practitioner of services and programs for people with disabilities will serve her well in her new role as President of the PLAN/NJ board," said Ellen Nalven, Executive Director. "I look forward to her leadership and insights as we expand our capacity and reach within New Jersey."

## PLAN/NJ

### PLAN/NJ

#### Executive Director

Ellen Ball Nalven, M.Ed.

#### 2018-19 Board of Directors

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**Thanks for your  
generous support!**

#### GOING GREEN! In 2018

we are reducing the need for printing and postage. We will continue to provide you with pertinent information by email, website and U.S. Mail, and will keep your personal data private. Please update your email address and phone number online at [plannj.org/contact-us](http://plannj.org/contact-us). State 'My current contact information' in the comment box.

**Thank you!**

# Should People with Disabilities Have ABLE Accounts?

by Thomas D. Begley, Jr., Esq., CELA

On June 18, 2018, the New Jersey Department of Human Services announced that it will launch a new financial tool to assist qualified individuals with disabilities. The tool is known as “NJ ABLE” and there is a website where interested parties can learn more and enroll: <https://savewithable.com/nj/home.html>. This article will provide background on what an ABLE account is, and how it can be utilized to support individuals with disabilities.

An ABLE account is a tax-free savings program. It can be established and managed by the individual with disabilities, or by his/her parents, guardians, conservators, or agents under a Power of Attorney. The individual establishing the ABLE account opens the account through NJ ABLE. Monies in the account can be invested in various funds including aggressive, moderately aggressive, growth, moderate, moderately conservative, or conservative.

Naturally, there are some restrictions to the program. Each individual can have only one account. An unlimited number of people can contribute to the account, but the contribution limit is \$15,000 per year for 2018. Eligible individuals must be severely disabled before turning age 26. Assets in an ABLE account are not counted for eligibility for SSI, so long as the account does not exceed \$100,000. Assets in the account do not count for Medicaid eligibility purposes, so long as the account does not exceed \$511,758. On the death of the beneficiary of the account, there is a payback to Medicaid for all monies received from Medicaid since the inception of the account.

The monies in the account can be used for qualified disability expenses. These include:

- Education
- Housing
- Transportation
- Employment support
- Assistive technology
- Legal fees
- Funeral expenses
- Personal support services
- Healthcare expenses
- Financial management
- Administrative services

The feature of these accounts that seems to be drawing the most attention is that the income is tax-free. Contributions are not tax-deductible, however. While tax-free income is nice to have, the more important benefit is that the individual with disabilities or a family member can control the account and make decisions without intervention by a trustee. The only limit is that distributions must be used for qualified disability expenses. Any other distributions are subject to income tax and a 10% penalty.

A major advantage is that if an individual receiving SSI has food or shelter paid by a third party, such as a parent or a trust, then the SSI payment is reduced by one-third, which is usually about \$250 per month. However, if the ABLE account pays for food or shelter for the beneficiary, there is no reduction of the SSI payment.

Opening an ABLE account is done online and is designed to take approximately 15 minutes. Assistance with the ABLE account is available either online through the website <https://savewithable.com/nj/home.html> or by telephone at (888) 609-8869. Enrollment forms are available online. Contributions can be made through payroll direct deposits, if desired. Fees range from 0.34% to 0.38%,

depending on the investment option selected. In addition, there is a \$15 per quarter account maintenance fee. This fee can be discounted by \$3.75, if email is selected for delivery of statements and confirmations. Contributions can be made by mail, by online bill paying, or by payroll direct deposit forms.

Individuals establishing a First-Party or Third-Party Special Needs Trust or Pooled Special Needs Trust should also consider establishing an ABLE account in conjunction with these trusts.

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*Begley Law Group, P.C. has served the Southern New Jersey and Philadelphia area as a life-planning firm for over 85 years. Attorneys have expertise in the areas of Personal Injury Settlement Consulting, Special Needs Planning, Medicaid Planning, Estate Planning, Estate & Trust Administration, Guardianship, and Estate & Trust Litigation.*



**plan|NJ**

Lifetime Advocacy for People  
with Disabilities

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**YES!** I want to help  
**PLAN/NJ** support individuals  
with disabilities and their  
families with the legal, estate  
and independent living planning  
they need and deserve.

☐ \$150 ☐ \$100 ☐ \$50 ☐ \$35 Other \_\_\_\_\_

☐ In Honor of or ☐ In Memory of (please check one and print name):  
\_\_\_\_\_

In addition:

- ☐ I would like to learn more about establishing a bequest
- ☐ I have included PLAN/NJ in my estate plans
- ☐ I would consider including PLAN/NJ in my estate plans
- ☐ I am interested in establishing a tax-free IRA rollover

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Please make your check payable to **PLAN/NJ** and place it in the mail along with this donor card to PLAN/NJ, P.O. Box 547, Loeser Avenue, Somerville, NJ 08876-0547. We also accept online donations. Visit [plannj.org](http://plannj.org) and click on 'Donate'. We reserve the right to publish donor names in the PLAN/NJ Annual Report unless otherwise requested. If you would like your name removed from the donor list, please check here: \_\_\_\_\_