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Enhanced Life Options (ELO) has accepted special needs trust referrals from individuals, guardians, attorneys, State officials, agencies, organizations and other advisors since 1993, and has been named special needs trust manager by New Hampshire Probate Courts since 1994. Our board of directors includes people who have a person with disabilities in their family. Board members also have professional skills including disability advocacy, retired law enforcement and public service. Board members have also been active professionally in the New Hampshire's disabilities community for many years working with non-profit organizations including Granite State Independent Living, NAMI New Hampshire and the Parent Information Center. Our staff members are all active in the disabilities community.

We have a variety of special needs trust programs available:

### **TRUST PROGRAM I**

A trust can be drafted by an attorney involved with the family and then discussed with ELO. Some trust provisions are suggested: supplemental needs language; a provision allowing pooling, a trust protector or special power of appointment provision, a provision against alienation and a provision concerning the trustee being in contact with the person with disabilities. The trust can be individually tailored to the individual's unique situation so long as it meets the various requirements of the law. The person setting up the trust or that person's attorney can get in touch with ELO and discuss these issues. This program has ELO serving as trust manager in cooperation with a bank or financial advisor selected by the person establishing the Trust or in cooperation with a financial institution ELO has regularly worked with in the past. This Program was established in 1993.

### **TRUST PROGRAM II**

In 2004 ELO created a Master Special Needs Pooled Trust program, which was then accepted by public benefits authorities, and which disabled individuals are able to join simply by signing a self-settled joinder agreement. Trust Program II works relatively the same way as Trust Program I, when it comes to purposes and distributions.

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However, the disabled individual does not have to prepare the Trust. The person with disabilities can retain an attorney to review the master trust and joinder agreement. The trustee of this program is Passumpsic Financial Advisors, a national bank which conducts business in New Hampshire and Vermont, and ELO serves as trust manager. Trust Program II has been accepted by public benefits officials in New Hampshire and Vermont.

### **TRUST PROGRAM III**

In 2010 ELO created a Master Special Needs Pooled Trust program, which can be joined by signing a joinder agreement like Program II. Trust Program III works relatively the same as Trust Programs I and II, when it comes to purposes and distributions. However, the disabled individual does not need to prepare the Trust. The trustee of this program is Charter Trust Company, a trust company which conducts business in New Hampshire, Vermont and Maine, and ELO serves as trust manager.

We have three types of pooling arrangements available: (1) individually tailored trusts prepared by an attorney, with pooling provisions (2) self-settled master trust arrangements where the family or the disabled individual joins a trust already created; and (3) third-party master trust arrangements where the family joins a trust already created.

### **TRUST PROGRAM IV**

In 2010 ELO created a Medicare Set-Aside Trust program, which is used in personal injury actions. The monies deposited into this trust are used to pay for medicare allowable expenses directly related to the injury. This trust is a separate special needs trust similar to Trust Program I, which pays the administrative costs to run the Medicare Set-Aside Trust.

### **WHY CONSIDER ENHANCED LIFE OPTIONS?**

ELO can be the right choice to manage your special needs trust. Families in New Hampshire and Vermont and across the country have selected not-for-profit organizations such as ELO mainly because:

1. A non-profit trust manager with knowledge of disabilities issues can add value beyond financial arrangements;
2. A non-profit trust manager can handle the trust in collaboration with or under the supervision of a family member, professional advisor or bank trustee;

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3. A non-profit trust management organization is established to continue indefinitely whereas relatives and individual advisors are mortal;
4. A not-for-profit pooled trust can be established by the individual with disabilities;
5. Not-for-profit pooled trust programs are specifically authorized in the federal law governing medicaid and social security.

At times we may be requested to provide additional personal services for our clients. We provide information, education and consulting services for people with disabilities whether or not we provide trustee services for a disability trust.

Since the beneficiary of a special needs trust may not serve as trustee, one or more family members may come to mind to serve as trustee. Often, however, no family member comes to mind who is available or the family member being considered is a generation or two older than the beneficiary. Sometimes a younger family member wants to be involved but does not have the time to actually manage the trust on a day-to-day basis.

ELO can serve as trust manager subject to what is called a trust protector or a special power of appointment holder. This allows a family member to remain involved in a supervisory role, if desired. It might be a sibling who does not have the time to do more. The trust protector or holder of the special power of appointment can also be a professional advisor. ELO can also serve as trust manager with the trustee being a professional trustee, such as an attorney, accountant or other family advisor. It is also possible to name a corporate trustee such as an independent trust company or bank.

Specific personal services can be provided or arranged for people with disabilities, without duplicating what other organizations are already doing, such as:

1. To pay for health, vision, hearing and dental services, treatments and equipment, including eye glasses, hearing aids, for which there are not funds otherwise available;
2. To pay for rehabilitative and occupational therapy services or medical procedures for which there are not funds otherwise available;
3. To pay for medical insurance premiums and supplemental nursing care for which there are not funds otherwise available;
4. To pay reasonable travel and related expenses enabling the Beneficiary to participate in educational, medical, physical fitness and work activities;
5. To pay reasonable travel and related expenses enabling the Beneficiary to maintain relationships with family and friends;
6. To pay for tutoring and companionship services, vocational and avocational interests, and to provide for the Beneficiary's pets, including expenses associated with veterinary care and general pet care and maintenance, and social integration activities, considering Beneficiary's disabilities;

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7. To pay for programs of training and education, as well as reading and educational materials, and to pay for cultural experiences;
8. To pay for services rendered to the Beneficiary by therapists, teachers, tutors and other professional persons, not otherwise provided;
9. To purchase, adapt and repair communications equipment, including computers, televisions, radios, or other electronic equipment;
10. To purchase, pay property taxes and related charges on, repair, furnish, equip and adapt real estate;
11. To purchase, pay taxes, fees and related charges on, adapt, equip and repair means of transportation for the Beneficiary;
12. To provide supported employment, considering the Beneficiary's disabilities;
13. To pay for any other items or services listed by the Settlor on the Joinder Agreement or as determined by the Manager in light of the Beneficiary's Distribution Plan;
14. To pay for or provide items or benefits not furnished or paid for by any governmental agency; and
15. To purchase final arrangements.

In addition to providing trust services, ELO has participated with the New Hampshire Community Loan Fund in a program which makes available Individual Development Accounts (IDAs). IDAs are matched savings accounts designed to help eligible people with disabilities accumulate investments for education, home ownership and small business development in the Manchester, N.H. and Portsmouth, N.H. areas. ELO has also participated in a study of work incentives in the disabilities community, funded in part by the U.S. Social Security Administration, to provide Individual Career Account (ICA) demonstration projects in the Manchester, N.H. and Keene, N.H. areas. ICA's are micro-grants designed to help remove work-related financial barriers for people with disabilities.

ELO is a 501(c)(3) public charity. The organization is bonded to the maximum allowable amount and is audited annually. It has five staff members and also utilizes additional employees on a case by case basis. No minimum or maximum asset balance is required to be eligible for services. Services are available regardless of the specific type of disability. No individual is discriminated against on grounds of race, creed, color, gender, age, national origin, or disability. The organization has three offices; our main office, 55 Church Street, Laconia, New Hampshire 02346, and two satellite offices that serve as office presences' at 3 Executive Park Drive, Suite # 269, Bedford, New Hampshire 03110 and 1236 Main Street, St. Johnsbury, Vermont 05819. The organization's packet of information is available by calling (603) 472-2543 or (603) 524-4189, or writing to ELO at 3 Executive Park Drive, Suite # 269, Bedford, New Hampshire 03110, You can also visit the ELO web site at [www.elonh.org](http://www.elonh.org)

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