

WELCOME TO PART 4 OF OUR PATHWAYS TO ADULTHOOD ZOOM SERIES

- Please mute your phones
- The PowerPoint will be posted on our website, www.txp2p.org
- We would love to see your faces! Please turn your cameras on! :0)
- Type all questions in the chat box
- I will try to answer all questions throughout the call
- If I don't get to your question, please email me at: cynda.green@txp2p.org.

THANK YOU TO OUR PARTNERS



Pathways to Adulthood

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TEXAS PARENT
TO PARENT
PRESENTS

Part 4:

LEGAL PLANNING
FOR AGE 18 AND
BEYOND

October 15, 2020
1:30-3:00 pm



- ➔ **Decision making at age 18: guidance and alternatives**
- ➔ **Estate planning and ABLE Accounts**
- ➔ **Health care transition**
- ➔ **Reconnecting with networks**
- ➔ **How TxP2P can help**

GOAL FOR THE PATHWAYS ZOOM SERIES:
TO GIVE PARTICIPANTS THE TOOLS
NEEDED TO PLAN FOR A GOOD LIFE FOR
OUR YOUTH AFTER GRADUATION



DECISION MAKING AT AGE 18

Decision making at age 18

At age 18, society assumes a person can give informed consent and make legal, financial and medical decisions. Before your child reaches age 18:

- Evaluate your child's ability to make decisions
- Evaluate your ability to "wait and see"
- Think about least restrictive but supportive approach
- Research options
- Make sure you have a State issued ID card for your youth

Update on guardianship/alternatives

In 2015 Texas Legislature updated guardianship law so that alternatives must be considered first. Some alternatives

Supported Decision Making agreement, power of attorney, representative payee, joint bank accounts, long term supports and services, HIPPA form, special needs trust

navigatelifetexas.org, search for legal-options-for-age-18-and-beyond

Option: Supported Decision Making

Under a supported decision-making agreement, the supporter can help the person with a disability to:

- Understand the options, responsibilities, and consequences of their decisions.
- Obtain and understand information relevant to their decision.
- Communicate their decisions to appropriate people.

But CANNOT make a decision for the person with a disability.

Option: Power of attorney

Document that your adult child can sign to give you the legal power to make decisions for them about finances, education, medical care, and more.

Your child must be able to understand what it means to sign a contract in order to use a power of attorney.

Simple form, no lawyer needed, can be downloaded

Option: Guardianship

Parent or appropriate person can petition court to become legal guardian at age 18 or after

Empowers you to make major decisions for an “incapacitated person”

Investigate finding the right lawyer and what the costs will be in your county, including court costs and bond; may differ from county to county

Option: Guardianship with Limited Authority

Can get guardianship with limited authority, which spells out in what areas the guardian does/does not have legal decision-making power

An agreement made at the court appearance

Still have to go through the guardianship process

Websites for decision making after 18

navigatelifetexas.org, search for legal-options-for-age-18-and-beyond

Texasguardianship.org

thearcoftexas.org/alternatives-to-guardianship/
for alternatives and the Supported Decision Making Agreement document

ESTATE PLANNING, ABLE ACCOUNTS

Estate Planning

Special needs trust: Financial management tool to enable a person with a disability or his family to accumulate funds over \$2000 and remain eligible for public funding

Protects assets so they are not in your child's name

There are Many different kinds of trusts, consult a lawyer

Master Pooled Trust, the arcoftexas.org

ABLE (Achieving a Better Life Experience)

Allows people with disabilities (diagnosed before age 26) to save money in a 529A tax-advantaged savings account

Money must be used for qualified disability expenses, such as education, transportation, housing, health, etc.

Annual limits for contributions, currently \$15K for 2020 (amount may differ if employed)

www.texasable.org

www.ablenrc.org/about/what-are-able-accounts

HEALTH CARE TRANSITION

Moving to adult medical services

Issue: Health care professionals may not share information with you after age 18

Start by age 14 to prepare your youth to assume health care responsibilities

Arrange for documentation to allow you to participate (forms provided by providers, guardianship, medical power of attorney, Supported Decision Making, HIPPA form youth can ask you to be present)

Moving to adult medical services

Issue: Pediatric providers may stop seeing child over age 18

Talk to current pediatric health providers before age 18 about how long they will continue to serve your youth; ask for recommendations for adult providers and help to make the transition go smoothly

Talk to other parents about finding new adult providers (txp2p listserv and other parent groups)

Moving to adult medical services

Issue: Health insurance changes after 18

Learn about your work-based medical insurance policy: adult may stay on til age 26 then may petition to stay on after 26 (must be submitted to the insurance company no later than 31 days after the adult's 26th bday)

tcdd.texas.gov/extending-health-insurance-adults-with-disabilities

Other adult medical services

Medicaid acquired through SSI (STAR+ PLUS)

Medicare acquired through SSDI

Medicaid Buy-In, health care for people with disabilities who work (monthly premium based on income)

Texas HIPP: Health Insurance Premium Payment program, for a family with 1 person on Medicaid and access to private work-based health insurance; pays premium (gethipptexas.com)

Collect information, get informed

Start a care notebook; see Txp2p.org home page for txp2p care notebook

Go to gottransition.org, click on youth and families; checklists and guides regarding medical transition for both parents and youth

Websites for health care transition

tcdd.texas.gov/extending-health-insurance-adults-with-disabilities

gethipptexas.com

gottransition.org (federal website, checklists, etc.)

navigatelifetexas.org, search for health care benefits

<https://illinoisAAP.org/wp-content/uploads/2020/01/TEEN-CHECKLIST.pdf> (caregiver checklist also available)

RECONNECTING WITH NETWORKS

Personal networks of support

Concept comes from PLAN, a family organization in Vancouver (plan.ca)

Networks build a circle of support around a person at risk of isolation

Networks multiple a family's resources, ideas, connections and energy

Networks build intentional community

Who joins networks?

Immediate family, especially popular with siblings

Extended family

Neighbors, family friends, church members

People who have worked with the focus person (school staff, attendants, therapists, etc)

Peers

Who joins networks?

People who want to support a person or family but have never known how to

People who share an interest with the focus person

People who have some time, want a mission in life

People who work in disability organizations or special education

What can networks do?

- Bring together a group of caring volunteers
- Provide supports for the long haul, even after parents are no longer around
- Focus on a single project, like getting a job, moving into a house, transitioning out of school to the community
- Plan for the future, help carry out plans
- Encourage the focus person to become more independent

What can networks do?

- Provide social opportunities
- Help make decisions; carry out Supported Decision Making agreement
- Help find resources, make connections
- Interview attendants, check on care, monitor quality of care
- Have fun!

What are the first steps?

- Open up your life to more people
- Be open and honest with family members
- Get over the idea that you have to do it all or that you are the only one who can care for your child
- Be willing to share your fears and hopes
- Gather the courage to invite a few people to a first meeting

Who can help?

Read *A Good Life*, by Al Etmanski, available at planinstitute.ca, scroll to bottom, Publications

Texas Network Connections (TxP2P program) helps families and individuals set up networks.
txp2p.org/services/texas-network-connections

How-to at txp2p.org → Services → Texas Network Connections and scroll down to [How-to for creating networks of support](#)

4. Prioritize your next steps

Whatever the age of your child, now is the time to get started!

What steps do you think should come first?

What are the barriers to getting started?

What are you ready to commit to now?

See Transition Inventory in binder or at txp2p.org, Pathways to Adulthood home page

Where to begin

Use TxP2P transition timeline and inventory lists to get started

Start a file to collect information

Find names of useful people

Talk to friends and family

Get on waiver interest lists

Keep resources under \$2000

At age 18 rules are different – be ready for the changes

Come to us for transition help: Pathways to Adulthood

A program at Texas Parent to Parent

Txp2p.org, click on Pathways to Adulthood

Please contact us for help with all transition issues:

email cynda.green@txp2p.org

call 512-458-8600 or 866-896-9050

**Let's start now to build
opportunities for a good life,**

**For our children and
for all people with disabilities.**

- To receive notification on upcoming trainings and events, please register at: www.txp2p.org. This also helps us continue to receive funding to support Texas families!



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