

**HB**

**188**

<TARGET><BILL>HB 188</BILL><SUBJECT>HB  
188</SUBJECT><COMM>SFIN29</COMM></TARGET>

# SENATE FINANCE COMMITTEE REPORT

DATE: 4/11/16

FURTHER:

DATE TURNED  
IN TO OFFICE: \_\_\_\_\_

**Finance Committee** considered CS FOR HOUSE BILL NO. 188(FIN)

## HB 188-PERSON W/DISABILITY SAVINGS ACCOUNTS

"An Act establishing a program for financial accounts for individuals with disabilities; exempting the procurement of contracts for the program from the State Procurement Code; exempting certain information on participants in the program from being subject to inspection as a public record; providing that an account under the program for an individual with a disability is not a security; allowing a state to file a claim against an individual's financial account under the program to recover Medicaid payments after the individual's death; and providing for an effective date."

and recommends:

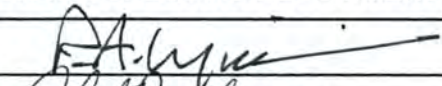
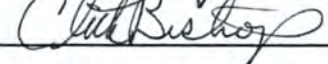
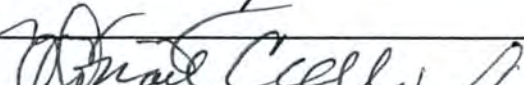
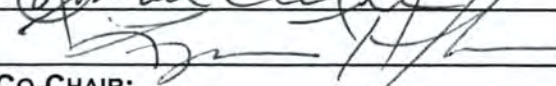
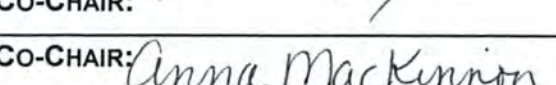
- be replaced with SCS \_\_\_\_\_ (\_\_\_\_\_)  Same Title  Technical Title Change  
 New Title/SCR No. \_\_\_\_\_
- adopt previous SCS \_\_\_\_\_ (\_\_\_\_\_)  Same Title  Technical Title Change  
 New Title/SCR No. \_\_\_\_\_
- attached amendment(s)
- adopt \_\_\_\_\_ Letter of Intent
- further referral to \_\_\_\_\_ Committee

Dept Abbr.	
ADM	LWF
CED	LAW
COR	LEG
EED	MVA
DEC	DNR
DFG	DPS
GOV	REV
DHS	DOT
AJS	UA

NEW FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #

PREVIOUS FISCAL NOTE(S)				
Dept.	Fiscal	Indet.	Zero	FN #
REV	✓			3
DHS			✓	2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
	MICHELE	✓			
	Bishop	✓			
	DUNLEAVY			✓	
	JOHNSON			✓	
	Hoffman			✓	
CO-CHAIR:					
CO-CHAIR: Anna MacKinnon	MacKinnon	✓			

# Fiscal Note

State of Alaska  
2016 Legislative Session

Bill Version:	CSHB 188(FIN)
Fiscal Note Number:	3
(H) Publish Date:	4/7/2016

Identifier: HB188-DOR-TRS-4-6-16  
 Title: PERSON W/DISABILITY SAVINGS ACCOUNTS  
 Sponsor: SADDLER  
 Requester: Labor and Commerce, Finance

Department: Department of Revenue  
 Appropriation: Taxation and Treasury  
 Allocation: Treasury Division  
 OMB Component Number: 121

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2017 Request	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>OPERATING EXPENDITURES</b>	<b>FY 2017</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>FY 2021</b>	<b>FY 2022</b>
Personal Services							
Travel							
Services	60.0		40.0				
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>60.0</b>	<b>0.0</b>	<b>40.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

1092 MHTAAR	60.0		40.0				
<b>Total</b>	<b>60.0</b>	<b>0.0</b>	<b>40.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
---------------------------	--	--	--	--	--	--	--

**Estimated SUPPLEMENTAL (FY2016) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2017) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No  
 If yes, by what date are the regulations to be adopted, amended or repealed?

**Why this fiscal note differs from previous version:**

Revised based on changes in House Transportation committee
--

Prepared By: Pamela Leary  
 Division: Treasury  
 Approved By: Jerry Burnett, Deputy Commissioner  
 Agency: Department of Revenue

Phone: (907)465-3751  
 Date: 04/06/2016 12:00 AM  
 Date: 04/16/16

REPORTED OUT OF  
HFC 04/07/2016

Control Code: PGKmq

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2016 LEGISLATIVE SESSION

## Analysis

**Bill Analysis**

This bill would authorize the Alaska savings program for eligible disabled individuals and allow the Department of Revenue to implement and administer the program. Federal legislation was passed in 2014 and revised in 2015. 35 states have approved legislation and are in the process of implementing a program. Some states are creating their own system and others are participating in a consortium to create greater cost efficiencies to pass on to state participants. Two of the states creating their own program have offered to host other states' programs for a fee.

All programs will use a vendor that would provide some or all of the following services:

-Investment Management Services including providing investment options, reporting of investment performance, and regulatory compliance.

-Record Keeping and Administrative Services including establishing eligibility for individuals, enrollment, managing cash flow contributions and distributions, providing account statements, coordination with investment management services and website access.

-Call Center/Customer Service to respond to inquiries including account openings and withdrawals and any federal or state specific questions in a manner accessible to participant needs.

The creation of ABLE programs is at its infancy and costs are not yet fully known. States implementing programs on their own have presented cost ranges in the \$2-\$4 million range. 1 State that has created its own program has offered its program to other states for a one-time installment fee of \$50,000 and an annual maintenance fee of \$12,000 but not all services appear to be included. The consortium of states is working on an RFP but costs have not yet been determined. This fiscal note presumes that Alaska would utilize the program of another state or the consortium of states' vendor to provide all of the above services. The estimated cost for FY2017 and FY2018 include startup costs with a vendor and a program awareness effort. Participants that have program accounts will also pay a fee which will be based on the value of the account. It is unknown at this time what those will be but it is imagined that they will be similar to what you pay for a managed investment account and an assumption that these fees will cover ongoing program costs.

# Fiscal Note

State of Alaska  
2016 Legislative Session

Bill Version:	CSHB 188(FIN)
Fiscal Note Number:	2
(H) Publish Date:	4/7/2016

Identifier: HB188CS(LC)-DHSS-HCMS-4-6-16  
 Title: PERSON W/DISABILITY SAVINGS ACCOUNTS  
 Sponsor: SADDLER  
 Requester: House L&C

Department: Department of Health and Social Services  
 Appropriation: Medicaid Services  
 Allocation: Health Care Medicaid Services  
 OMB Component Number: 2077

**Expenditures/Revenues**

Note: Amounts do not include inflation unless otherwise noted below. (Thousands of Dollars)

	FY2017	Included in	Out-Year Cost Estimates				
	Appropriation Requested	Governor's FY2017 Request	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
<b>OPERATING EXPENDITURES</b>	<b>FY 2017</b>	<b>FY 2017</b>					
Personal Services							
Travel							
Services							
Commodities							
Capital Outlay							
Grants & Benefits							
Miscellaneous							
<b>Total Operating</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Fund Source (Operating Only)**

None							
<b>Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

**Positions**

Full-time							
Part-time							
Temporary							

<b>Change in Revenues</b>							
---------------------------	--	--	--	--	--	--	--

**Estimated SUPPLEMENTAL (FY2016) cost:** 0.0 *(separate supplemental appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**Estimated CAPITAL (FY2017) cost:** 0.0 *(separate capital appropriation required)*  
*(discuss reasons and fund source(s) in analysis section)*

**ASSOCIATED REGULATIONS**

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? yes  
 If yes, by what date are the regulations to be adopted, amended or repealed? 12 months

**Why this fiscal note differs from previous version:**

Cost assumptions revised.
---------------------------

Prepared By: Margaret Brodie, Director  
 Division: Health Care Services  
 Approved By: Sana Efir, Asst. Commissioner, Finance and Management Services  
 Agency: Health and Social Services

Phone: (907)334-2520  
 Date: 04/06/2016 12:00 AM  
 Date: 04/06/16

**REPORTED OUT OF  
HFC 04/07/2016**

Control Code: vIEWF

## FISCAL NOTE ANALYSIS

STATE OF ALASKA  
2015 LEGISLATIVE SESSION

## Analysis

HB188 establishes an Alaska Savings program for eligible disabled individuals. Program accounts may not be considered when determining eligibility for means-tested programs.

CSHB188(L&C), version N adds a new section (AS 06.65.330) that allows state Medicaid programs to file a claim against a decedent's program account to recover medical assistance costs of the individual after the account was established.

Based on the number of people who participate in the college savings plans, and the number of disabled individuals in the state, we do not consider this to be a large impact on the estate recovery unit of the Division of Health Care Services. There will not be any monitoring. It is anticipated that the contracted vendor will provide a monthly report to the Medicaid Program.

Regulation changes will be required and will be promulgated within 12 months of the legislation's effective date.

# ALASKA STATE LEGISLATURE

*Session:*  
State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free: (877) 460-3783



*Interim:*  
12641 Old Glenn Hwy., Ste. 201  
Eagle River, AK 99577  
Phone: (907) 622-3783  
Fax: (907) 694-1015  
Toll Free: (877) 460-3783

## REPRESENTATIVE DAN SADDLER

### SPONSOR STATEMENT

#### House Bill 188

*"An Act relating to financial accounts for persons with disabilities; relating to financial institutions; relating to property exemptions; relating to securities; and providing for an effective date."*

HB 188 seeks to help Alaskans cope with the challenges of living with a disability by allowing individuals and families to set up tax-free savings accounts, called "ABLE accounts," to pay for education, housing, transportation or other disability-related expenses.

The U.S. Congress passed the "Achieving a Better Life Experience (ABLE) Act" in 2014, authorizing states to create special savings accounts for disability-related expenses modeled after the successful "529 college savings programs," named after the relevant section of IRS code.

ABLE accounts, also known as "529A" accounts, allow individuals with disabilities to improve their financial security by using private investments to supplement their benefits from insurance, employment, Supplemental Security Income (SSI), Medicaid, and other sources. Assets held in an ABLE account would not be counted under means tests required for Medicaid or SSI, although SSI cash benefits would be suspended if the ABLE balance exceeded \$100,000.

ABLE accounts could be spent for education, transportation, job training and support, assistive technology, health and wellness, legal and other qualified services. Contributions would be limited to \$14,000 per year, and capped at \$400,000. A person could have only one account.

To be eligible for an ABLE account, a person must have become blind or disabled before the age of 26. The Governor's Council on Disabilities and Special Education estimates that about 13,770 Alaskans – 10 percent of those with a disability – might qualify for ABLE accounts.

By empowering Alaskans with disabilities and their families to build their financial independence, HB 188 will help them meet more of their life challenges by relying on private resources, without eroding the value of public benefits to which they are entitled. ABLE accounts will be important tools for helping them live full, productive lives in their communities.

###

BIRCHWOOD • CHUGIAK • EAGLE RIVER • FIRE LAKE • JBER

Rep.Dan.Saddler@akleg.gov

# ALASKA STATE LEGISLATURE

*Session:*  
State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Fax: (907) 465-2293  
Toll Free: (877) 460-3783



*Interim:*  
12641 Old Glenn Hwy., Ste. 201  
Eagle River, AK 99577  
Phone: (907) 622-3783  
Fax: (907) 694-1015  
Toll Free: (877) 460-3783

## REPRESENTATIVE DAN SADDLER

### CS for House Bill 188(FIN) ABLE Act

#### Version G

#### Sectional Analysis

*"An Act establishing a program for financial accounts for individual with disabilities; creating a property exemption for money in or paid from a financial account in the program for an individual with a disability; exempting the procurement of contracts for the program from the State Procurement Code; exempting certain information on the participants in the program from being subject to inspection as a public record; providing that an account under the program for an individual with a disability is not a security; allowing a state to file a claim against an individual's financial account under the program to recover Medicaid payments after the individual's death; and providing for an effective date."*

**Sec. 1:** Cites this as the **Alaska ABLE Act Savings Program Act**

**Sec. 2:** Creates a new chapter 65. **Alaska Savings Program for Eligible Individuals**

**Sec. 06.65.010: Program authorized.** Authorizes Alaska ABLE savings program in the Department – which is the Alaska Department of Revenue. Allows it to implement and administer the program under the Federal ABLE Act.

**Sec. 06.65.020: General department duties.** Outlines the duties of the department in implementing and administering the program.

**Sec. 06.65.030: Modification of program.** Gives the Department authority to modify the program in accordance to any federal law changes

**Sec. 06.65.040: Additional department powers.** Allows department to set fees for program transactions and services and also develop marketing plan to promote the ABLE program

**Sec. 06.65.050: Contracting authority; procurement exemption.** Allows department to contract with a person to assist in implementing the program, provide services, join other states to obtain or provide services for implementation, join a cooperative effort with other states to provide services for the program that could include investment and record-keeping services. Allows state to join with other states to allow an Alaska resident to participate in a program in another state under federal authorizing law and for an outside state to participate in a program in this state. If contracting with another state, AS 36.30 (Procurement Code) will not apply.

**Sec. 06.65.060: Investment oversight:** Allows the department to oversee and approve selection of investment managers and advisors for the program, and to oversee all investment disclosures and regulatory filings related to program investments

**Sec. 06.65.070: Financial contractor obligations:** outlines duties/obligations of the selected financial contractor(s)

**Sec. 06.65.080: Additional audits:** Allows the department to order an audit of the contractor's financial operation and position in addition to annual audit if the department has reason to be concerned

**Sec. 06.65.090: Contract termination; non-renewal.** Gives department authority to not renew a financial contract. If so it would take custody of the program accounts and transfer them to another financial contractor that offers similar program accounts

**Sec. 06.65.100: Eligible individuals.** Describes who is eligible to participate in the program.

**Sec. 06.65.110: Representative of eligible individuals.** Describes who may act as a representative of the eligible individual who is a minor or lacks decision-making capacity

**Sec. 06.65.120: Program account ownership.** States that the owner of the program account is the designated beneficiary.

**Sec. 06.65.130: Number of program accounts.** Allows only one program account per designated beneficiary under federal authorizing law.

**Sec. 06.65.140: Program account application:** Outlines department procedures for program account applications and information to be collected in that process

**Sec. 06.65.150: Program account establishment fee.** Allows financial contractor to charge a non-refundable to establish program account. That fee to be determined in the contract with the financial contractor.

**Sec. 06.65.160: Program account contributions.** Outlines how a person can make a contribution, the limit authorized by federal law, allows department to reject or withdraw a contribution that exceeds that annual limit or maximum limit established by authorizing law or if designated beneficiary is not eligible, and that financial contractor must report contributions to the IRS.

**Sec. 06.65.170: Limited investment direction.** Limits to two the number of times a program account investment can be changed.

**Sec. 06.65.180: Change of designated beneficiary.** Allows a designated beneficiary or representative to change beneficiary of an account to another eligible individual in the family.

**Sec. 06.65.190: Distribution for qualified expenses.** States that withdrawals from the program accounts may only be used for qualified expenses for the designated beneficiary.

**Sec. 06.65.200: Rollover distribution.** Subject to federal law governing rollovers, a distribution from a program account can be made to the same designated beneficiary or another eligible individual in the family, and the timeframe for that to be done.

**Sec. 06.65.210: Statements.** Requires that statements re: program accounts be issued 4 times a year at times established by the department and that the program contractor provide related information at the department's request.

**Sec. 06.65.220: Preparation and filing.** In addition to other reports a financial contractor shall prepare and file statements required under state and federal law and other agencies.

**Sec. 06.65.230: Separate accounting.** Requires a financial contractor to provide separate accounting for each program account.

**Sec. 06.65.240: Annual fee.** Allows a financial contractor may charge an annual fee for maintenance of a program account.

**Sec. 06.65.250: Use as security.** Prohibits a program account from being used as security for a loan

**Sec. 06.65.260: No state obligation.** Declares that the program does not create an obligation of the state, department, or any agency to guarantee the return of principal or pay interest on the principal in a program account

**Sec. 06.65.270: Confidentiality.** Specifies that program account information is confidential

**Sec. 06.65.280: Exchange of information.** Allows the Department to exchange information with the Department of Health and Social Services and other state agencies to determine whether an individual is eligible

**Sec. 06.65.290: Treatment under means test programs.** Specifies the program account amounts must be disregarded in determining eligibility for means-tested programs

**Sec. 06.65.300: Deposit from permanent fund dividend.** Allows deposits to program accounts from the permanent fund dividend

**Sec. 06.65.310: Program expense fund.** Establishes program expense fund and describes its purpose and operation

**Sec. 06.65.320: Medicaid claims:** Allows that the state may file a claim against the program account of a beneficiary who dies.

**Sec. 06.65.330: Governing law.** Establishes federal law as governing to the extent of any conflict with state law

**Sec. 06.65.340: Regulations.** Requires the department to adopt implementing regulations

**Sec. 06.65.350: Annual report.** Requires the department to evaluate the program each year and file an annual report on or before the start of each legislative session beginning in 2018

**Sec. 06.65.390: Definitions.**

### **Sec. 3:**

**AS 36.30.850(b):** Adds ABLE program account oversight as a responsibility of the Commissioner of Revenue

### **Sec 4:**

**AS 40.25.120(a) is amended to** create an exception to public inspection for names, addresses, and other program account identifying information

### **Sec. 5**

**AS 45.55.990(32):** Excludes program accounts from the definition of “security”

**Sec. 6:**

**AS 47.07.055:** Allows the state to file a claim against the designated beneficiary's program account after the individual dies

**Sec. 7:** Transition

Requires the Department to file its first report on the program on or before the first day of the Second Regular Session of Thirtieth Alaska State Legislature (2018)

**Sec. 8:** Transition

Allows the Department to adopt regulations, but not before the effective date of the provisions authorizing the Alaska ABLE savings program

**Sec. 9:** Effective Date

Section 8 takes effect immediately

# ALASKA STATE LEGISLATURE

*Session:*  
State Capitol  
Juneau, AK 99801-1182  
Phone: (907) 465-3783  
Toll Free: (877) 460-3783



*Interim:*  
12641 Old Glenn Hwy., Ste. 201  
Eagle River, AK 99577  
Phone: (907) 622-3783  
Fax: (907) 694-1015  
Toll Free: (877) 460-3783

## REPRESENTATIVE DAN SADDLER

### CS for House Bill 188 ABLE Act Version N (HL&C) to Version G (HFIN) Summary of Changes

- Page 1 Line 2 – 3 of version N in the Title

Deleted – “creating a property exemption for money in or paid from a financial account in the program for an individual with a disability;”

- Page 9 Lines 2 – 5 of version N

Deleted – Sec. 06.65.260 Exemption from Creditor Claims, which removes exemption from the bill

- Page 12 Lines 17 – 18 of version N

Deleted – conforming language from subsection (11)

- All other sections of the new chapter after the deleted section are remunerated



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of  
Health and Social Services**

Senior and Disabilities Services  
Governor's Council on Disabilities & Special  
Education  
Patrick J. Reinhart, Executive Director

3601 C Street, Suite 740  
Anchorage, Alaska 99503  
Main: 907.269.8990  
Fax: 907.269.8995

February 1, 2016

RE: HB188 and SB104 Letter of Support

To Whom It May Concern:

The Governor's Council on Disabilities and Special Education (the "Council") fills a variety of federal and state roles, including serving as the State Council on Developmental Disabilities (SCDD) under the Developmental Disabilities Assistance and Bill of Rights Act. As the state DD Council, the Council works with Senior and Disabilities Services (SDS) and other state agencies to ensure that people with intellectual and developmental disabilities and their families receive the services and supports that they need, as well as participate in the planning and design of those services. One of the duties of the state DD Council is providing comments on bills that may have an impact on individuals with intellectual and/or developmental disabilities and their families.

To this end, the Council would like to issue this letter of support for HB188 and SB104 as the Alaska enabling legislation for the federal Achieving a Better Life Experience (ABLE) Act. This legislation and subsequent availability of Alaskan financial institutions to issue tax advantage savings accounts for eligible persons with a disability has the potential to significantly impact a large number of Alaskans, especially those with intellectual and developmental disabilities and their families.

Such accounts will allow for much needed savings for qualified disability related expenses not covered by public programs. ABLE Act accounts also stand to work towards eliminating current barriers to employment for Alaskans with disabilities by creating a tool which will allow savings of income earned from a job without jeopardizing the public benefits required to meet their support needs to keep the job. Currently, Alaskan's with disabilities cannot go beyond \$2,000 of resources before losing some or all of their needed public benefits. These accounts have a great potential for assisting individuals with disabilities in a pathway out of poverty and foster greater independence and self-sufficiency.

Alaska works best when everyone has a true opportunity to work, save, and still have necessary supports to meet their unique needs. The Council sees HB188 and SB104 as strongly aligned with the

goals of Alaska's Employment First Law and supports these bills as a means of increasing the independence of Alaskans with disabilities. Ultimately, enabling Alaskans with disabilities to save and provide for their own needs as well as becoming employed has the distinct potential towards significant cost savings for the state.

Respectfully,

Handwritten signature of Amy Simpson in cursive script.

Amy Simpson, Chair

Handwritten signature of Patrick Reinhart in cursive script.

Patrick Reinhart, Executive Director



# Municipality of Anchorage

Ethan Berkowitz, Mayor

Department of Health and Human Services

February 9, 2016

Patrick Reinhart  
Executive Director,  
Governor Council on Disabilities and Special Education  
3601 C Street, Suite 740  
Anchorage, Alaska 99503

Dear Patrick:

On behalf of the Municipality of Anchorage ADA Advisory Commission, we would like to express our support for the Achieving A Better Life Experience (ABLE) legislation pending before the Alaska legislature (HB188 and SB104).

The Anchorage ADA Advisory Commission is a seven member municipal advisory board that assists the Anchorage Department of Health and Human Services, the Mayor of Anchorage and the Anchorage Assembly on issues of importance to people with disabilities living, working and visiting Anchorage.

This bill would allow financial institutions to issue tax advantage savings accounts for eligible persons with a disability. Such accounts will allow for qualified disability-related expenses not covered by public programs. ABLE Act accounts also work towards reducing barriers to employment for Alaskans with disabilities by creating a tool which will allow the income savings earned from a job to not jeopardizing the public benefits. Currently, Alaskans with disabilities cannot have more than \$2,000 of financial resources before losing some or all of their needed public benefits. These accounts have the potential of assisting individuals with disabilities in a pathway out of poverty and foster greater independence and self-sufficiency.

The Anchorage ADA Advisory Commission supports HB188 and SB104. This bill enables Alaskans with disabilities to save and become independent and self sufficient in the future. Thank you for your support of the bill and if you have any questions, please let me know.

Sincerely,

David Ziemer

Chair, Municipality of Anchorage ADA Commission



AUTISM SPEAKS®

February 1, 2016 RE: HB188 and SB104 Autism Speaks Letter of Support

To Whom It May Concern:

Autism Speaks is the world's leading autism science and advocacy organization, dedicated to funding research into the causes, prevention, treatments and a cure for autism; increasing awareness of autism spectrum disorders; and advocating for the needs of individuals with autism and their families. Autism Speaks works to ensure that people with autism have the opportunity to lead fulfilling and independent lives.

We are writing to support HB188 and SB104 as the enabling legislation for the federal ABLÉ Act. The federal law was the culmination of an almost decade-long effort to create a new way for people with disabilities and their families to save for future disability expenses without losing eligibility for means-tested federal programs like Supplemental Security Income (SSI) and Medicaid. In testimony before the Senate Finance Committee Subcommittee on Taxation and IRS Oversight, Bob D'Amelio, a volunteer advocate for Autism Speaks and the father of three children, two of whom are on the autism spectrum, offered this support for the ABLÉ Act:

An ABLÉ account would enable families like mine to save for housing, job supports, education, and other services without the fear of losing Social Security or Medicaid benefits. The current section 529 plans fall short for the many individuals with autism and other disabilities who cannot or choose not to go on to college. As much as anything else, the ABLÉ Act is about fairness. If Christi and I can use a college savings account to provide for our daughter Lindsey's future, why can't we use something similar to take care of Nicholas and Christopher?

I would love to sleep at night knowing that I was doing everything I could to secure the future of my children. My son Christopher is a very smart young man, but he will need a job coach and at some point a residential program. Saddling my daughter Lindsey with a big financial burden is not fair when Christi and I can provide for Christopher. Lindsey is already mature beyond her ten years of age. She knows that she will be looking after Christopher and keeping tabs on Nicholas for her entire life.

Autism teaches you to be strong, to persevere when others tell you to give up, to celebrate the small steps in life, and to appreciate what you have. But autism demands your time and energy and changes how you live as a family. Parents like Christi and I want to do everything we can for our kids – for all of our kids, disabled or not. The ABLÉ Act would allow families to make the future more secure for children with disabilities, taking the burden off siblings, other family members, and government. Please take the simple step of passing ABLÉ. We all will sleep better when it becomes law.

Although Bob D'Amelio lives in North Carolina, he spoke for families in Alaska and around the country. Autism affects 1 in 68 children. ABLÉ programs offer a new opportunity to meet the future needs of people with disabilities. We are grateful that Alaska is poised to act on this opportunity.

Yours truly,

*Stuart Spielman*

Stuart Spielman  
Senior Policy Advisor and Counsel