

**ANNUAL REPORT  
OF THE  
ABLE ACCOUNT  
ADVISORY BOARD**

**2016**

## **ABLE Account Advisory Board Members**

Director John Martin, Ohio Department of Developmental Disabilities

State Senator John Eklund

State Representative Jonathan Dever

Representative of an intellectual or developmental disability advocacy group, Marge Barnheiser

Representative of a service provider for individuals with disabilities, Diane Beastrom

Parent of a child with a disability who has significant experience with disability issues, Charles Gerhardt (Board Chair)

Person with a disability and who has significant experience with disability issues, Jennifer Cunningham

Two members who have significant experience in finance, accounting, investment management, Blaine Brockman and Matthew Curoe

## Background of the Achieving a Better Life Experience (ABLE) Act

### LEGISLATIVE OVERVIEW

#### Federal Legislation

Federal legislation passed in December 2014 as part of P.L. 113-295 permits states to create “Achieving a Better Life Experience” (ABLE) programs. The ABLE program is modeled after college savings plans described in Section 529 of the Internal Revenue Service code with the ABLE Act in Section 529A.

The ABLE Act permits individuals with disabilities to save without the risk of losing their eligibility for means-tested benefits. The program will ease the financial strains many individuals face by making tax-free accounts available to cover qualified expenses such as medical and dental care, education, housing, transportation, assistive technology, employment training, and community based supports.

In order for an individual to be eligible for an ABLE account, the following has to occur:

- Blind or disabled before age 26.
- Entitled to Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) or; have a condition that is on the Social Security Administration’s Compassionate Allowances list or; self-report as meeting the disability criteria.

Furthermore, federal law places the following limitations on the ABLE account:

- The maximum yearly contribution limit is currently \$14,000.
- The maximum account value is currently tied to Ohio’s 529 limit of \$426,000.
- There is a 10% additional tax on the earnings portion of funds withdrawn from an ABLE account for non-qualified expenses.
- SSI benefits will be suspended if the account total exceeds \$100,000, but Medicaid benefits will not be impacted.

#### State Legislation

**House Bill 155.** The Ohio General Assembly passed House Bill 155, sponsored by State Representatives Jonathan Dever and Margaret Conditt and companion legislation was introduced by Senators John Eklund and Shannon Jones on June 25, 2015. The legislation was signed by Governor Kasich on July 16, 2015 and became law on October 15, 2015. The legislation, passed unanimously by both chambers, authorizes the State Treasurer to implement and administer the ABLE Act.

#### **House Bill 483 (DODD MBR)**

Signed into law on July 13, 2016, House Bill 483, the Department of Developmental Disabilities’ Mid-Biennium Review bill made two changes impacting Ohio’s STABLE program. The first, authorizes an income tax deduction for contributions to STABLE Accounts. The deduction is limited to \$2,000 per taxable year for each STABLE account beneficiary. If a taxpayer contributes more than \$2,000 in a taxable year, the taxpayer may carry forward and deduct that excess in future taxable years. If a contribution is made by a married taxpayer, the \$2,000 per beneficiary limit applies regardless of whether the taxpayer and spouse file separately or jointly. The \$2,000 limit mirrors the limit on the existing deduction for contributions to an account created

under the state's "529" college savings program. The second change, allows residents of other states to participate in Ohio's STABLE program.

### **Summary of ABLÉ Implementation**

In late 2015, the Treasurer's Office selected Intuition ABLÉ Solutions, LLC ("IAS") as the program manager and record keeper for the Ohio ABLÉ Plan.

In early 2016, following selection of IAS, the Treasurer's Office completed the following tasks:

- Selection of "STABLE Account" as the Plan's official name
- Selection of Fifth Third Bank as the Plan's custodian and fund accountant
- Selection of Investment Options for the Plan
  - Selection of Vanguard as the investment fund provider
  - Selection of the Fifth Third BankSafe Product for the Plan's FDIC-insured investment option
- Design and build of [stableaccount.com](http://stableaccount.com)
- Design and build of STABLE Account enrollment and account maintenance website
- Design and integration of the STABLE Card, the Plan's prepaid debit card

On April 20, 2016, the Treasurer's Office began the STABLE Account Pilot Program and created the first STABLE Account in the nation.

On June 1, 2016, after six weeks of review and testing in the Pilot Program, the Treasurer's Office launched STABLE Accounts to the public. Ohio was the first state in the country to launch an ABLÉ program and has been applauded as a market leader.

### **STABLE Account Plan Overview**

STABLE Accounts are available nationwide to individuals with disabilities, special needs, and other qualifying conditions. Individuals may enroll in an account online by visiting [stableaccount.com](http://stableaccount.com). Enrollees have the opportunity to invest in up to five different portfolios. Four portfolios invest in Vanguard LifeStrategy target-risk mutual funds, and one portfolio invests in a FDIC-insured account housed with Fifth Third Bank.

Account holders pay a small monthly account maintenance fee and annual asset-based fees on their accounts. Ohio residents pay \$2.50 per month and between 0.19% and 0.34% in asset-based fees, depending on the investments chosen. Resident of all other states pay \$5.00 per month and between 0.45% and 0.60% in asset-based fees. These non-resident fees help subsidize the cost of STABLE Accounts for Ohio residents.

Account holders also have the ability to request a debit card to use with their accounts.

### **STABLE Account Operations**

As of December 7, 2016, 1586 individuals have enrolled in STABLE Accounts. Of those enrollees, 55% are Ohio residents and 45% are out-of-state residents. STABLE has enrollees from 46 different states, as well as the District of Columbia and overseas military posts.

The Plan has received over \$4.38 million in contributions.

The Treasurer's Office is also discussing the possibility of partnering with a number of other states in order to provide those states with a private-labeled version of STABLE Accounts. To date, the Treasurer's Office has signed Partnership Agreements with two states and will be assisting those states in building and running their own ABLÉ programs, using the STABLE Account platform.

### **STABLE Account Outreach**

Since launching STABLE in June 2016, the Treasurer's Office has been working to educate the public and raise awareness about STABLE Accounts. Examples of outreach efforts completed to date include:

- Visited all 88 County Boards of Developmental Disabilities to provide STABLE information
- Collaborating with numerous state agencies on STABLE, including:
  - Ohio Department of Medicaid
  - Ohio Department of Job and Family Services
  - Ohio Department of Developmental Disabilities
  - Ohio Developmental Disabilities Council
  - Ohio Department of Mental Health and Addiction Services
  - Governor's Council on People with Disabilities
  - Opportunities for Ohioans with Disabilities
- Held national meetings with the SEC, MSRB, FDIC, Centers for Medicare and Medicaid Services, National Disability Institute, National Down Syndrome Society, World Institute on Disability, Autism Speaks, and others
- Presented or hosted an outreach booth at over 130 disability-related meetings and events
- Running Public Service Announcement
- Established social media accounts for STABLE
- Distributed over 60,000 STABLE brochures
- Partnering with numerous state agencies and advocacy organizations to send out newsletters and mailers with STABLE information

### **Future Efforts**

Going forward, the goals for the STABLE Plan include increasing awareness and enrollments throughout Ohio and across the country. Pursuing partnerships with self-advocates, organizations, agencies, financial professionals, and other states remains a top priority. The Treasurer's Office will also continue to evaluate Plan enhancements, to ensure that STABLE remains the nation's top ABLÉ program and effectively meets the needs of individuals with disabilities.