



**LEGISLATION & PUBLIC  
INFORMATION UNIT**

1831 K Street  
Sacramento, CA 95811-4114  
Tel: (916) 504-5800  
TTY: (800) 719-5798  
Intake Line: (800) 776-5746  
Fax: (916) 504-5807  
[www.disabilityrightscalifornia.org](http://www.disabilityrightscalifornia.org)

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March 24, 2017

Honorable Bill Dodd  
California State Senate  
Capitol Building, Room 5064  
Sacramento, CA 95814

**RE: SB 218 (DODD) – SUPPORT**

Dear Senator Dodd:

Disability Rights California (DRC), a non-profit advocacy organization that advances and protects the rights of Californians with disabilities, supports SB 218. This bill is scheduled for hearing in the Senate Governance and Finance Committee on March 29, 2017.

California recently adopted the Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014, which allows certain individuals with disabilities to accumulate savings without losing their eligibility for means tested SSI, Medicaid and other government benefit programs. The money in an ABLE account can be used to pay for a broad range of “qualified disability expenses.”

In order to encourage qualified individuals with disabilities to participate in the CalABLE program, SB 218 will prohibit the state seeking distribution of any amount remaining in the designated beneficiary's ABLE account for any amount of medical assistance paid under the state's Medicaid plan and would prohibit the state from filing a claim for the payment. Instead, the designated beneficiary would be allowed to transfer all amounts in the beneficiary's ABLE account to another individual's ABLE account specified by either the designated beneficiary or the estate of the designated beneficiary upon their death. This would allow the designated beneficiary to

use the money they have saved in the way they'd like instead of allowing the state to take it back for services rendered.

ABLE accounts can help provide financial security for people with disabilities and have the potential to break the cycle of poverty that often results from the inability to save money as a result of receiving public benefits. Removing the Medicaid payback provision (Section 1369p of Title 42) for CalABLE accounts and allowing designated beneficiaries to transfer their money will calm these fears, encourage program enrollment, as well as increase contribution levels.

For these reasons, we support this bill. Please contact me if you have any questions about our position on this bill.

Very truly yours,

A handwritten signature in black ink, appearing to read "Curtis Child". The signature is fluid and cursive, with the first name "Curtis" and last name "Child" clearly distinguishable.

Curtis Child  
Legislative Director  
Disability Rights California

cc: Leslie Spahnn, Legislative Director, Office of Senator Dodd  
Honorable Chair and Members, Senate Governance and Finance  
Committee  
Colin Grinnell, Staff Director, Senate Governance and Finance  
Committee