



## SOCIAL SECURITY

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August 26, 2005

Maine Trust for People with Disabilities, Inc  
c/o James Houle, President  
PO Box 9729  
Portland, ME 04104

Dear Mr. Houle:

The Social Security Administration has reviewed the Maine Trust for People with Disabilities. Based on the information provided, the trust is irrevocable and the individual does not have the legal authority to direct the use of the trust assets for his/her own support and maintenance, therefore, the trust principal is not the individual's resource for Supplemental Security Income (SSI) purposes.

The trust as written does not appear to be a countable resource. However, each joinder agreement must be reviewed separately and an individual determination be made in each case.

Any distributions from the trust will need to be reviewed in accordance with POMS SI 01120.200E to determine whether or not they are countable income for SSI purposes.

We noticed a discrepancy within the trust that may need to be addressed. The first sentence of Article 8 Subsection 8.2 reads "Death of a Primary Beneficiary Within Three Years of Establishment of Subaccount." The second sentence reads "if a Primary Beneficiary dies within 5 (5) years of the establishment of a Subaccount hereunder etc."

Please contact me if you have any questions or concerns at (207) 771-2870.

Sincerely,

Angela W. Hubbard  
Assistant District Manager