

Section 1	Eligibility	Answers
1a	How does a person verify eligibility?	<p>(1) The Eligible Individual either:</p> <p>(a) has a medically determinable physical or mental impairment which results in marked or severe functional limitations, and which can be expected to result in death or has lasted or can be expected to last for a continuous period of not less than 12 months; or</p> <p>(b) is blind (within the meaning of the Social Security Act); and</p> <p>(2) The blindness or disability was present before the Eligible Individual attained age 26.</p> <p>Unless the Eligible Individual has a condition listed in the "List of Compassionate Allowances Conditions" maintained by the Social Security Administration at: https://www.ssa.gov/compassionateallowances/conditions.htm. CalABLE requires that you also certify under penalty of perjury that you have received a written diagnosis relating to the disability from a "licensed physician" (as defined in Section 1861(r) of the Social Security Act). You must also agree to retain and provide a copy of the written diagnosis to CalABLE, the IRS, or the U.S. Treasury Department upon request.</p>
1b	How should a self-certification of disability be written up for those not receiving SSI or SSDI? If you fail to provide the self-certification and become disqualified what is the consequence?	<p>In order to self-certify, you should obtain a letter from a licensed physician that indicates the proposed Beneficiary has a disability that would be listed in the SSA List of Compassionate Allowances (Blue Book) and that the likely onset of that disability occurred before age 26. You must also agree to retain and provide a copy of the written diagnosis to CalABLE, the IRS, or the U.S. Treasury Department upon request. If you fail to provide the requested information within 30 days of any such request, CalABLE reserves the right to suspend account activity until the requested information is provided. The account would be closed and subject to federal and state taxation if the person is determined to be ineligible.</p>
1c	What if you change your mind and want to close the account?	<p>A CalABLE account may be closed at any time via the secure web portal. If contributions were made to the account and then a decision is made to close the account, taxes or penalties may apply if the funds are not used to pay for Qualified Disability Expenses.</p>
1d	How often do we have to provide certification for individual's disability?	<p>Through CalABLE's enrollment website, you will be asked to indicate how you meet the eligibility criteria. If you are self-certifying your disability, you may need to provide your doctor's name and address and the date of your diagnosis or onset of disability. Although you will not need to produce a copy of your diagnosis in order to open an account, you must have a record of the diagnosis readily available in case of an audit by the SSA and/or Internal Revenue Service ("IRS").</p>
1e	What happens to a CalABLE account if a Beneficiary moves out of State? Meaning, if a Beneficiary moves out of state do they lose the money in the CalABLE account?	<p>Participants will not lose money if they move out of state. CalABLE is a national program and does not require that an individual be a resident of California in order to participate. An account holder may choose to transfer ABLE funds from one state to another state, but this is not required. Outgoing Rollovers are tax free for the Beneficiary. Moving to another state, or rolling funds into another ABLE program may eliminate any state based provisions established to benefit residents of the state in which the ABLE account was created.</p>
1f	What is the age limit to open an ABLE Account? My daughter is 28 years old, can she open an account?	<p>A person of any age may open an ABLE account, provided the Beneficiary can establish that the likely onset of the individual's disability began before age 26. Please review the Program Disclosure Statement for additional information on opening an account. https://calable.ca.gov/documents/calable-disclosure.pdf</p>

Section 2	Authorized Legal Representative	Answers
2a	<p>Who is an Authorized Legal Representative?</p> <p>What does "I certify under the penalties of perjury that I am appointing an Authorized Legal Representative to manage my CalABLE Account, and I understand that I will no longer have transactional control of the account" mean?</p>	<p>An Authorized Legal Representative is:</p> <ul style="list-style-type: none"> • the parent, • legal guardian or conservator of an Eligible Individual, or • the holder of a power of attorney for an Eligible Individual. <p>Once an Authorized Legal Representative is established, the Authorized Legal Representative is the only one with authority to conduct transactional business for the account. They maintain the user ID and password for the account.</p>
2b	<p>What is the difference between a Beneficiary and Authorized Legal Representative?</p>	<p>The Beneficiary is the person who meets the ABLÉ eligibility requirements and is the legal owner of the account. The Authorized Legal Representative manages the account on behalf of the Beneficiary, which includes the ability to access the account and perform transactions.</p>
2c	<p>Is a Representative Payee for SSA/SSI considered an Authorized Legal Representative?</p>	<p>No, a Representative Payee is not automatically designated as an Authorized Legal Representative as defined by the Federal ABLÉ Act. If a Representative Payee establishes legal power of attorney over the Beneficiary's financial matters, the Representative Payee may become the Authorized Legal Representative.</p>
2d	<p>Is a Conservator of an adult Conservatee considered an Authorized Legal Representative? Can the Conservator open an ABLÉ account for an adult Conservatee?</p>	<p>Yes a Conservator may become an Authorized Legal Representative and open an ABLÉ account.</p>
2e	<p>Are parents considered an Authorized Legal Representative for an individual over 18, or must they have a power of attorney?</p>	<p>Parents qualify as Authorized Legal Representatives by attesting they are a parent or legal guardian of the Beneficiary. A parent may continue on as the Authorized Legal Representative beyond the Beneficiary's 18th birthday.</p>
2f	<p>What does the term "with the legal capacity to contract" mean?</p>	<p>Capacity to contract refers to the legal competency of a person to enter into a valid contract. For questions regarding determining legal capacity, please consult your attorney.</p>
2g	<p>If a disabled individual sets up their own account without an Authorized Legal Representative, then years later becomes incapacitated; can someone be added at that time as the Authorized Legal Representative?</p>	<p>By order of conservatorship, the Conservator could become a designated Authorized Legal Representative who could manage and control the account. There will be a 30 day hold on withdrawal requests when there is a change to the account address on the account or a change of Legal Authorized Representative.</p>
2h	<p>Can a Conservatorship of the Person or the Estate qualify someone to open an ABLÉ account for someone?</p>	<p>The Beneficiary can add a Conservator as an Authorized Legal Representative provided the Conservator meets the criteria for an Authorized Legal Representative.</p>
2i	<p>How do I update a CalABLE account to add an Authorized Legal Representative?</p>	<p>The Beneficiary should notify CalABLE at Calable.ca.gov regarding an address change to the account or a change of Authorized Legal Representative. There will be a 30 day hold on withdrawal requests when there is a change to the address in the Account record or a change of Legal.</p>

2j	Can a sibling be an Authorized Legal Representative for a CalABLE account holder?	Yes, a sibling can become an Authorized Legal Representative to assist the Beneficiary with their CalABLE account. A sibling must obtain an enforceable power of attorney declaration over the Beneficiary's estate.
2k	Can an alternate Authorized Legal Representative be designated at the opening of the account?	CalABLE accounts may only have one designated Authorized Legal Representative at a time. It is not possible to name a successor Authorized Legal Representative. If the Beneficiary chooses, or if the Authorized Legal Representative passes away, a replacement can be established.
Section 3	Investments	Answers
3a	Can one choose their own investments in a CalABLE account? Or must they choose one of the investment portfolio options managed by TIAA-CREF?	The CalABLE Board of Directors approved TIAA-CREF to serve as program administrator of CalABLE and to develop and manage the CalABLE investment portfolios. There is an FDIC-Insured Portfolio, and three target risk portfolios: Conservative, Moderate and Aggressive Growth. These are the only investments options available to CalABLE account holders at this time. https://calable.ca.gov/documents/caable-disclosure.pdf .
3b	Are there any investments available, besides the FDIC insured account, which are free of management fees?	Currently, the Board has only waived the state administrative fee on the FDIC-Insured Portfolio. The other investment portfolios do have an underlying investment fee and a state administration fee. All portfolios are subject to the annual account maintenance fee. A complete list of fees are outlined at https://www.calable.ca.gov/faq .
3c	What is the difference between a Special Needs Trust and an ABLE account?	Both ABLE accounts and Special Needs Trusts offer similar protections for SSI recipients. They differ in who owns the account, expenses related to setting up and maintaining the accounts, and how the funds in each account may be used. We recommend consulting a licensed financial planner or trust attorney for more information on whether an ABLE account, or a Special Needs Trust, or both are right for you.
3d	What is the difference between the \$100,000 SSI account benefit and \$529,000 account contribution?	ABLE account balances in excess of \$100,000 will be considered a countable resource of the Beneficiary and may jeopardize the individual's SSI eligibility. The account may continue to grow and receive contributions and any appreciation based on interest or accruals. \$529,000 is the maximum contribution limit for a CalABLE account. The Account may continue to grow and accrue earnings once the limit has been exceeded, but additional deposits will no longer be accepted on account balances over \$529,000.
3e	When a Beneficiary makes a withdrawal from the account, do the withdrawals come from the FDIC portfolio or the investment portfolios? Is this process seamless to the end user?	The Beneficiary must choose between a Pro-Rated withdrawal - Withdrawal of the amount in equal proportions from ALL of your investment options OR Designated Withdrawal - Specify the amount and the investment options from which your funds are to be withdrawn. Contributions will be allocated according to the investment options and the percentages previously selected by the account owner or their Authorized Legal Representative.
3f	What information is available to help individuals have more tools to manage accounts and their money?	The CalABLE website contains educational information about investment portfolios, including historical returns and other useful data. CalABLE also offers the AchieveABLE Corner which provides information and education on ways to get the most from your CalABLE account.

3g	What are the differences in the underlying investment expenses for the three portfolios?	<ul style="list-style-type: none"> •Conservative Portfolio: seeks a conservative to moderate long-term total return by investing primarily in bond funds, with smaller allocations to stock funds and a funding agreement. The underlying investment expense is 0.09%. •Moderate Portfolio: seeks a moderate long-term total return by investing in stock funds, bond funds, and a funding agreement. The difference is based on the amount of risk in the portfolio. The underlying investment expense is 0.09%. •Aggressive Growth Portfolio: Seeks aggressive growth and long-term total returns by investing primarily in stock funds. The underlying investment expense is 0.08%. •The fourth portfolio is an FDIC insured portfolio that operates similarly to a checking account. It yields a small amount of interest, and is designed not to fluctuate with the markets. There is no underlying investment fee for the FDIC insured portfolio.
3h	Is appreciation from the account counted in the limits the account holds?	Yes. SSA will disregard up to \$100,000, including contributions and growth, from being counted as a resource for SSI recipients. Account balances over \$100,000 may continue to grow, receive contributions, and any appreciation based on interest or accruals thus being considered a resource for SSI recipients. \$529,000 is the maximum for account contributions, however the Account may continue to grow and accrue earnings beyond the Maximum Contribution Limit.
3i	If I no longer want to invest, how do I stop investing with CalABLE?	Funds may be transferred between portfolios two times annually. Moving from a target risk investment portfolio into the FDIC insured portfolio would preserve the CalABLE account. If you would like to close the ABL account you can do so by initiating an ABL to ABL program rollover, or by withdrawing all funds from your account and closing it. Withdrawal of funds without initiating an ABL to ABL rollover, or accounting for a Qualified Disability Expense could result in taxes, penalties and/or jeopardizing public benefits.
3j	Can a person open a CalABLE account as interest bearing portfolio and later change to a conservative portfolio?	Yes. You can choose to change investments for future contributions or you may be transfer funds between portfolios two times annually. Please refer to the Program Disclosure Statement for more information.
3k	What if a person chooses to invest in all four investment options; what would those annual costs look like?	Fees are calculated on a prorated basis based on the average daily balance in each of the portfolios. All annual costs and fees can be found in the Disclosure Statement at https://calable.ca.gov/documents/calable-disclosure.pdf .
Section 4	Fees	Answers
4a	What are the fees?	Please review the CalABLE website, https://calable.ca.gov .
4b	Are there fees for the FDIC-Insured option that is similar to a savings account?	There is an annual account maintenance fee which is assessed on all accounts regardless of the portfolio options selected. The investment portfolios have additional fees: an Underlying Investment Fee, and the State Administrative Fee.
4c	Are the fees to maintain an ABL account subject to change?	Yes, the CalABLE Board may change/evaluate the fee structure from time to time.
4d	What fees are associated with transferring money from CalABLE account?	A withdrawal can be sent to your bank electronically or loaded onto your CalABLE Prepaid Card for no charge. You can request a check be sent to you for a \$5 per check fee. Through the check option, participants can request a check payable to themselves or a third party to pay bills or other Qualified Disability Expenses.

4e	Are fees tax deductible?	No, fees for the CalABLE account are not tax deductible.
Section 5	Account Maintenance/ Reporting	Answers
5a	How long should we keep documentation of our usage when we withdraw from the account?	CalABLE does not request receipts for Qualified Disability Expenses. The tax code recommends to keep records for three years from the date you filed your original return or two years from the date you paid the tax. Please check with your tax advisor.
5b	Is someone who has opened a CalABLE account required to file accountings of income and expenditures for the account, and if so, to whom and how often?	Account holders will receive a Form 5498 each year which will show account contributions and a 1099QA each year when there have been withdrawals from the account. Please consult with a tax advisor to address your specific circumstances.
5c	Is SSDI back pay eligible for a CalABLE account? The disbursement is more than \$15,000. Can we deposit more than \$15,000?	The annual contribution limit to a CalABLE account is \$15,000 per year. For deposits over \$15,000 the Beneficiary may consider consulting with a special needs trust attorney or financial advisor.
5d	Would In Home Support Services benefits be suspended if account exceeds \$100,000?	ABLE accounts over \$100,000 may cause SSI benefits to be suspended. In-Home Support Services benefits are related to Medicaid. If the Beneficiary's Medicaid eligibility is related to their SSI eligibility, having more than \$100,000 in an ABLE account could result in a suspension of In-Home Support Services as well. Please consult with your benefits provider for additional details.
Section 6	Qualified Disability Expense/HUD	Answers
6a	What is the definition of Qualified Disability Expense?	Any expense related to the designated Beneficiary as a result of living a life with disabilities that helps to maintain or improve health, independence or quality of life.
6b	What are examples of quality of life?	Examples that could improve an individual's quality of life are, but are not limited to: <ul style="list-style-type: none"> •Education •Housing •Transportation •Employment training and support •Assistive Technology and related services •Health •Prevention and wellness •Financial management and administrative services •Legal fees •Expenses for oversight and monitoring •Funeral and burial expenses •Other expenses approved by the Secretary of the U.S. Treasury
6c	Are food purchases at restaurants considered qualified expenses?	As of March 2020, the Social Security Administration recognizes food as a basic living expense which is an ABLE Qualified Disability Expense: https://secure.ssa.gov/apps10/poms.nsf/lnx/0501130740 .
6d	When using my CalABLE account for rent, when do I need to make the withdraw and payment?	CalABLE accounts may be used for rent. The Beneficiary/Authorized Legal Representative must to withdraw and make a payment within the same calendar month. If the Beneficiary/Authorized Legal Representative withdraws the money in the previous month to pay the following month's rent, the withdrawal may be considered income and could effect their cash benefits.

Section 7	529 Fund Transfer/Deposits /E Gifting	
7a	If a disabled young adult has a 529 account and a CalABLE account, do colleges "see" ABLE accounts as a source of funds when calculating financial need?	According to the new FAFSA (Free Application for Student Financial Aid) funds in an ABLE account are not counted as a resource when determining eligibility for federal financial aid.
7b	Can a person with a disability pull funds from ABLE and 529 in same year without jeopardizing benefits?	Withdrawals from the CalABLE account will not jeopardize benefits as long as they are for a Qualified Disability Expense. A person should consult their attorney when withdrawing from a 529 college savings account.
7c	What is the maximum amount that can be rolled over from a 529 college account?	The maximum contribution limit is \$15,000 per year.
7d	How does earned income and unearned income effect SSI benefits when deposited and withdrawn from the CalABLE account?	<p>According to the Social Security Administration, income is any item that an individual receives in cash, or in-kind that can be used to meet his or her need for food or shelter. Income includes, for the purposes of SSI, the receipt of any item which can be applied, either directly or by sale or conversion, to meet basic needs of food or shelter.</p> <p>SSI distinguishes between various types of income when making benefits eligibility calculations, including the following types: Earned income is wages, net earnings from self-employment, certain royalties and other payments; Unearned income is all income that is not earned such as Social Security benefits, pensions, State disability payments, and cash from friends and relatives.</p> <p>For SSI purposes, income, whether earned or unearned will be counted as income in the calendar month in which it was received, and may result in a single month adjustment to the SSI cash benefit amount even when it is deposited into a qualified ABLE account. Contributions by a third party (family/friends of the beneficiary) are the lone exception to this rule. When deposited directly into an ABLE account, these contributions are not counted as income, but are considered a resource and will not result in an adjustment to the beneficiary's monthly cash benefit.</p>
7e	Can an annuity be directed into an ABLE account or does the income have to be received outside the account, cashed and then placed by the Beneficiary into the account? Are there any potential differences between these two options if the annuity is sent to CalABLE by the annuity company ?	Contributions to a CalABLE account must be by cash, money order or direct transfer. Securities, property or other assets may not be deposited into an ABLE account. Contributions may be deposited by a third party.
7f	Is it okay to link our personal bank account to our adult child's ABLE account in order to transfer funds?	Yes, CalABLE will need a bank or credit union routing and account number to allow for funds to be deposited into the CalABLE account via electronic transfer.
7g	If people put money in a person's CalABLE account does that count as a gift?	Third party contributions to a CalABLE account are considered gifts and not counted as income for the Beneficiary.

7h	Can a CalABLE account be used with a crowd funding platform, such as trying to raise money for a service dog with a GoFundMe campaign?	CalABLE has its own built-in crowd funding platform, the eGift. An eGift event allows an account holder to reach out to family and friends to contribute to the account through CalABLE's e-gifting tool. Access the account at CalABLE.ca.gov and create an eGift event. An email with a unique link and a personalized message, instructing recipients on how to make an online ACH contribution, will be sent to the friends and family members that a person identifies. E-Gift ACH Contributions will be processed in the same manner as other ACH contributions. The unique link can be used when providing information on how to contribute to other crowd funding services.
Section 8	Prepaid Card	Answers
8a	How long does it take for money to be loaded on to the CalABLE Visa® Prepaid Card?	You can load funds onto your CalABLE Visa® Prepaid Card by logging into your CalABLE account at Calable.ca.gov and requesting an ACH withdrawal, and then selecting "CalABLE CARD" as the target account. Funds will be available on your card within three to five business days from the date of the withdrawal. The CalABLE Visa Prepaid Card is issued by MetaBank®, N.A., Member FDIC, pursuant to a license from Visa U.S.A. Inc.
8b	Can a prepaid card be used to set up as an automatic transfer for monthly expenses, such as rent or utility costs?	No, but you can deposit or "load" funds from your CalABLE Account onto your CalABLE Prepaid Card and use the CalABLE Prepaid Card to pay for Qualified Disability Expenses both online and in stores everywhere Visa debit cards are accepted. A commercial checking account should be used for automatic transfer of funds.
8c	Does this mean withdrawals via transfer or loading onto the card have no fees?	Yes, there are no fees to load money onto the prepaid card, other fees may apply https://www.calablecard.com/File/GetPdfBlobData/84 .
8d	Is the Beneficiary allowed to access actual cash through the ABLE account or only allowed use of the card itself for purchases?	The prepaid card cannot be used at an ATM to withdraw cash. In order to access cash, an ACH withdrawal to a connected checking account, or a check must be requested.
8e	What is the prepaid card fee?	The monthly fee for the CalABLE Prepaid Card is \$1.25 per month, other fees may apply https://www.calablecard.com/File/GetPdfBlobData/84 .

Section 9	ABLE to Work Participants	Answers
9a	How does the ABLE to Work apply if the Beneficiary only works occasionally?	The ABLE To Work provision allows CalABLE Beneficiaries who work, and do not participate in an employer sponsored retirement account, to contribute up to an additional \$12,490 per calendar year from their earnings into their CalABLE account.
9b	Is the ABLE to Work subject to the \$100,000 SSI limit?	Yes, SSI will disregard funds up to \$100,000 in their ABLE account from all sources, including ABLE to Work contributions.
Section 10	Medi-Cal	Answers
10a	Medi-Cal will not file an estate claim on an ABLE account, however, it will if those assets are transferred to an estate. Is there a way to designate Beneficiaries on an ABLE account, so the proceeds go directly to them (e.g. like an IRA or life insurance policy does)?	Upon the death of a Beneficiary, an executor or administrator of a Beneficiary's estate should consult with qualified tax and legal advisors regarding the tax treatment of such withdrawals and the potential for Medicaid/Medi-Cal recapture. ABLE funds can be used to pay for any outstanding Qualified Benefits Expenses such as funeral and burial expenses.
10b	Can Medi-Cal seek recovery or take funds from a CalABLE account if the conditions for recovery (i.e. Beneficiary 55 years old plus, Beneficiary user of comprehensive Medicaid services, probate estate valued at \$150,000 or more, Beneficiary is not survived by a spouse or children under 18 or a disabled child of any age) are present? Or does the money go to the Medi-Cal estate first? Are there tax consequences?	California law (SB218) states that Medi-Cal will not seek to recover funds directly from the CalABLE account of a California resident. In limited circumstances Medi-Cal may seek to recover from the estate of an ABLE account holder if the value of the estate requires probate. Please consult with your estate planner or financial advisor regarding tax implications and other considerations that may apply to you.
10c	When should we report these deposits to SSI or Medi-Cal?	CalABLE reports ABLE account information to the Social Security Administration (SSA) on the first business day of every month. A Beneficiary should review their account information to ensure SSA receives the correct information.
10d	If my benefits are cancelled because of my CalABLE account who do I contact?	If someone's benefits are suspended or cancelled and they need help, they can contact CalABLE@treasurer.ca.gov. We can call and have a conversation with the agency and/or send it to the State to advocate for the Beneficiary on their behalf.
10e	What happens if a person passes away? Where do the funds go? Are there tax issues for person receiving funds?	If there is a remaining balance in the CalABLE account after all outstanding Qualified Disability Expenses, such as funeral and burial expenses have been paid and there is not a claim against the account, the Executor of the Estate can request funds payable to the estate of the Beneficiary and close the account.

Section 11	Other Topics	Answers
11a	Is there a banking institution for people with disabilities?	CalABLE is an online savings and investment program and does not provide banking services. While you can make contributions to your CalABLE account through a bank, you cannot establish a CalABLE account at a bank.
11b	Does CalABLE offer a check book option?	CalABLE does not offer a checkbook option. An account holder may request a check be cut to the Beneficiary, Authorized Legal Representative or third party payee. A \$5 per check fee will apply.
11c	The ABLE account is in the name of a person with disability. Are there protections for the individual from scams or lawsuits?	CalABLE accounts are protected from enforcement of money judgements.
11d	How does CalABLE compare to other popular ABLE plans?	We believe that CalABLE compares very favorably with other national ABLE programs. A comparison tool for ABLE accounts is available at https://www.ablenrc.org/ .
11e	For those who contribute to the ABLE account are there special tax benefits for those who reside in CA and out of state?	There are no tax California incentives on contributions available at this time.
11f	Is there a plan to include an income tax deduction for CA residents in the future?	At this time California is working to propose new legislation for a state tax deduction or credit for ABLE account contributors.