

MT ABLE Committee Meeting

Minutes

Date: November 13th, 2024

Call to Order: Facilitator, Theresa Baldry

Roll Call: Theresa Baldry, John Pavao, Kathleen Magone, Cathy Murphy

Old Business

Action item: Review and Approve Agenda - Approved

Action item: Review and Approve Previous Meeting Notes (September) - Approved

Sharing out of ABLE activities attended; webinars, training viewed or provided

John shared ABLE information at two webinars he attended. Theresa shared a CLE (continuing legal event) for attorneys with Disability Rights Montana. She also mentioned there was a YouTube for individuals who were not attorneys who were interested in reviewing the information. John suggested posting this information, Theresa suggested the information be reviewed first. The committee will consider this for the next meeting and members were encouraged to review our webpage for what is there and consider what resource(s) may need to be added. It was also suggested that a link to the national ABLE website (www.ablenrc.org) be included on the state ABLE site, Ryan will get this posted.

The committee reviewed some information from the Governor's webpage regarding ABLE contact information. It was determined that Mitch should be removed as a committee member and that member contact information be removed, except for John Pavao's phone number and email and Cathy Murphy's phone number and email address. The Governor's office may need to change their website directly. Cathy advised she will follow up on this and emailed Hannah in the Governor's office requesting that those updates be made.

Kathleen asked that any information or questions that come to John or Cathy also be shared with the committee.

Discussion ABLE program alternatives other than MT ABLE used by Montanans -
Follow up from Cathy

No new updates.

Discussion and Follow Up: Customer Service Feedback

Cathy was able to assist an account holder from Bozeman with his account. He was having trouble getting College Savings Bank to process his request to transfer funds to Fifth Third Bank. Cathy reached out to Fifth Third Bank and Fifth Third Bank reached out multiple times to College Savings Bank to process the request before College Savings Bank fixed the issue. The account holder emailed Cathy to let her know once everything was taken care of.

Cathy also asked that any other customer service issues be sent her way so can work on getting them addressed. Kathleen suggested that it would be helpful for all members to hear those issues as well to monitor any duplication of the issues.

Kathleen also discussed an issue regarding a client opening an account that had the client's name at the top (Client A) and a different client's (Client B) account and routing number at the bottom of the check. Client B had to be reimbursed by Client A. When addressing the issue with Fifth Third Bank, it did not go well and took a long time to eventually get checks with the correct numbers on them.

Cathy provided information on how many people in Montana have ABLE accounts, see chart below:

<u>MT ABLE</u>	<u>2022</u>	<u>2023</u>	<u>YTD as of</u> <u>10/31/2024</u>
Number of Funded Accounts	682	846	932
Average Account Balance	\$8,290	\$9,252	\$9,471
Average # of Accounts Opened per Month	15.5	18.83	18.4
Average # of Accounts Closed per Month	4.41	5.08	5.5

The committee discussed creating a Montana ABLE email account so that if people are having issues, questions, or concerns they can send an email, and all committee members would be able to see those and address them as they are able to. John advised he would be able to check it a few times a week and Theresa advised she could check it on Fridays.

Cathy advised that she could reach out to the customer service reps at Fifth Third Bank and ask for a monthly report with any calls or emails that are

coming in from Montana, including the person's contact information and any that may need additional follow up. These could then be reviewed as a group and, if there is something that is not being resolved, the committee can look at how to provide further support. Cathy will also ask about including local contact information for Montana ABLE support to the Fifth Third Bank's "Contact Us" webpage, including verbiage stating that the email address is checked periodically, and response may not be immediate.

Discussion of Potential Legislative Action

Kathleen brought up the past discussions about perhaps raising the amount of tax benefit that someone would get. She advised it would be wonderful to accomplish this but noted that because we would be stepping away from national legislation that may be a really difficult thing to do

New Business

Discussion on Need for new committee member, **Program Oversight Committee** - (c) three members of the general public...and one of whom has a disability.

We are in need of a new committee member, someone who has an ABLE account and has a disability that was diagnosed before age 26. Kathleen has asked Deb Conwell to consider this and encouraged members to reach out to anyone who may qualify.

Theresa advised there may be a specific time frame in which appointments are made and wants to make sure that applicants avoid having to submit their application multiple times. Cathy advised she did include in her email to Hannah that we are seeking a committee member if there is anyone interested, particularly a person with a disability and a veteran. Cathy will follow up with Hannah to find out if there is a specific timeframe for appointments or if it can be done at any time, and also if there is specific information that we can or should share when we are trying to recruit members.

There were also concerns about the upcoming legislative session and whether some potential members would be able to commit at this time.

Theresa suggested reaching out to the State Independent Living Council to make them aware that we are looking for someone and see if they have any suggestions as to who could be appointed. Theresa advised she will reach out to them.

John advised he just recently hosted a Veterans Career and Resource Fair and has connections within the VA and other veteran support organizations and advocacy groups. John will reach out to let them know we are

recruiting a new member, hopefully one with a disability and an ABLE account.

Review and Provide Comment Draft Amendment from Kristen Juras, Lt. Governor

Members have reviewed and there was a question about number 13 being crossed out and the Internal Revenue Code 15-30-2101 not having the meaning spelled out as other IRCs do. Kathleen advised the number 13 being crossed is a typo. She also advised that the reference to 15-30-2101 is sufficient. Kathleen explained that the Governor's office came out with Regulatory Reduction Act a few years ago, stating that if something exists somewhere else, they do not want it to be restated.

Theresa advised she was not able to find the code defined anywhere, even when searching for it on Google. Kathleen advised it is a Montana statute and can be found on Google by searching Montana 15-30-2101. Kathleen and Cathy explained they are inserting this into the Draft Amendment, and that Montana will abide by whatever the federal requirements are. The committee agrees this is the age piece that is being changed from age 26 to 46. Kathleen advised that we need to make sure that we have some way for people to understand that the age change will occur on January 1, 2026.

Kathleen advised she will reach out to the Lt. Governor's office to let them know that we did discuss this today, noting the numbering issue and that we do not have further feedback at this time.

Review and Provide Comment: ARMs 42.15.1001 through 42.15.1004

Kathleen advised ARM 42.15.1001, 1002, and 1003 all refer to Mont. Code Ann. 15-30-2110(12), which has been repealed.

ARM 42.15.1003 also refers to Mont. Code Ann. 15-30-2101(15)(a)(xvi). Likely that reference should be to 15-30-2101(21)(a)(xvi).

ARM 42.15.1004 refers to IRC 592A. This should be IRC 529A. The error was replicated in a Notice of ARM Proposal with Public Hearing filed 11/10/2020, MAR Notice No. 42-1026.

Cathy advised she has a staff member that can help with the proposed changes once the language is decided. Kathleen advised these errors were due to statutory changes made by someone other than DPHHS. She will email Lt. Gov. Juras and ask who should be cleaning up these mistakes.

Updates from National ABLE Alliance

No information at this time.

Promotion of ABLE

No information at this time.

Public Comment

There are no members of the public in attendance for comment.

Next Meeting Date and Agenda Items: Standing bimonthly meetings on the 2nd Wednesday @ 10am. January 8th, 2025.