

Disability Certification for Eligibility to Open an ABLE (529A) Account

What is an ABLE account?

Millions of individuals with disabilities depend upon a wide variety of public benefits for income, health care, food and housing assistance. Eligibility for these public benefits requires meeting a means or resource test that limits eligibility. For the first time in public policy, the 2014 Stephen Beck, Jr. Achieving a Better Life Experience, or ABLE, Act recognizes the significant, additional costs associated with living with a disability. Eligible individuals are allowed to establish and contribute funds to an ABLE account that will largely not affect their eligibility for federally-funded, means-tested benefits.

ABLE accounts are tax-advantaged savings and investment accounts for qualified individuals with disabilities. The person with the qualifying disability is the ABLE account owner. Contributions may be made directly to the account from family, friends, a pooled and/or special needs trust and the ABLE account owner. Earned interest is not taxable. Some states allow for state income tax deductions for contributions made to an ABLE account.

Funds in an ABLE account can be used for qualified disability expenses (QDEs). These include expenses for items or services needed to maintain or improve health, independence and quality of life. QDEs include: health prevention and wellness, housing, education, food, transportation, employment training and support, assistive technology, personal support services, financial management, administrative services, legal fees, expenses for oversight and monitoring and funeral and burial expenses.

Note: This form is provided as a resource to individuals who are in need of a disability certification form in order to open an ABLE account. This is a “sample” of a disability certification form containing references and requirements for opening an ABLE account. The ABLE National Resource Center does not manage or issue ABLE accounts directly, but works with state ABLE programs to provide guidance on tax-advantaged savings and investment accounts. Our mission is to educate, promote and support the positive impact ABLE can make on the lives of millions of Americans with disabilities and their families. Visit <https://www.ablenrc.org>.

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Individuals who receive a monthly benefit from the Social Security Administration (SSA), based on a disability (Social Security Disability Insurance [SSDI], Childhood Disability Benefits, Disabled Widow/Widowers Benefits, or Supplemental Security Income [SSI]) which began before age 26 are deemed eligible for an ABLE account and are not required to obtain this disability certification.

As this ABLE applicant's licensed health care provider, I certify, to the best of my knowledge:

1 Please check one

- A. This Individual has a severe medically determinable impairment* that results in marked and severe functional limitations which have lasted or can be expected to last for a continuous period of not less than 12 months and/or can be expected to result in death. I understand that "marked and severe functional limitations" means functional limitations that meet, medically equal, or functionally equal the severity of any listing in appendix 1 of subpart P of 20 CFR part 404 (the "Listing"), but without regard to age. The Listing can be found at www.ssa.gov/OP_Home/cfr20/404/404-app-p01.htm. I further understand that the level of severity is determined by taking into account the effect of the individual's prescribed treatment.
- B. This individual is blind, meaning that [I have] [the beneficiary has] central visual acuity of 20/200 or less in the better eye with the use of a correcting lens. An eye which is accompanied by a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

2 This Individual's severe and marked medically determinable impairment or blindness occurred before the Individual's twenty-sixth (26) birthday.

3 I am a Medical Doctor (MD), Doctor of Osteopathy (DO), Doctor of Dental Surgery or Dental Medicine, Doctor of Podiatric Medicine, Doctor of Optometry or a Chiropractor licensed to practice as such in the state in which I performed this diagnosis. (Note: Section 529A (e)(2)(A)(ii) does not include a Licensed Psychologist, Clinical Therapists or certified vocational rehabilitation counselor).

As this ABLE applicant's (Name): _____ licensed health care provider, I am documenting the Individual's primary diagnosis as required by the Stephen Beck, Jr., Achieving a Better Life Experience (ABLE) Act of 2014.

Primary Diagnosis (ICD-10)

Date:

Provider Print Name/Title

Provider Signature

Provider Telephone Number

*A medically determinable physical or mental impairment is an impairment that results from anatomical, physiological, or psychological abnormalities, which can be shown by medically acceptable clinical and laboratory diagnostic techniques. The medical evidence must establish a physical or mental impairment consisting of signs, symptoms, and laboratory findings—not only by the individual's statement of symptoms. 20 CFR 404.1528, 404.1529, 416.928, and 416.929 provide that symptoms, such as pain, fatigue, shortness of breath, weakness or nervousness, are an individual's own perception or description of the impact of his or her physical or mental impairment(s). 20 CFR 416.928 further provides that, for an individual under age 18 who is unable to adequately describe his or her symptom(s), the Social Security Administration will accept as a statement of this symptom(s) the description given by the person most familiar with the individual, such as a parent, other relative, or guardian. However, when any of these manifestations is an anatomical, physiological, or psychological abnormality that can be shown by medically acceptable clinical diagnostic techniques, it represents a medical "sign" rather than a "symptom." (See Social Security Ruling 96-4p)