



Achieving a Better Life Experience Program

Progress Update to the Legislature per ESHB 2323 Section 6(1)

Background

The 2016 Legislature created the Washington Achieving a Better Life Experience (ABLE) program in [Engrossed Substitute House Bill 2323, Section 6\(1\)](#). This report summarizes program development progress to date.

The Department of Commerce (Commerce) is establishing the ABLE program by following the requirements of the federal Achieving a Better Life Experience Act. It allows eligible individuals with disabilities to create tax-advantaged savings accounts with contributions of up to \$14,000 annually.

The new ABLE accounts will allow more individual control over spending and investing, while protecting eligibility for Medicaid, Supplemental Security Income and other means-tested public benefits.

Qualified disability expenses are any expenses made for the benefit of the designated beneficiary and related to his/her disability. These expenses include education, housing, transportation, employment training and support, assistive technology and personal support services, health, prevention and wellness, financial management and administrative services, legal fees, expenses for oversight and monitoring, and funeral and burial expenses.

An estimated 130,000 to 180,000 children and adults with disabilities in Washington may be eligible for the ABLE program. An estimated 35,000-50,000 have enough resources to make participation feasible.¹

Commerce will contract with a qualified private organization to administer the ABLE program. That organization will provide ABLE program services statewide.

Progress to Date

The Legislature set aside \$572,000 in general funds state to support the ABLE program during State Fiscal Year 2017. Commerce developed a new internal disabilities workgroup to support its disability programs. These include the Achieving a Better Life Experience (ABLE), Developmental Disabilities Council (DDC), Developmental Disabilities Endowment Trust Fund (DDEF), Developmental Disabilities ombuds, and Long Term Care (LTC) ombuds. A manager

¹ Commerce's agency fiscal note for ESHB 2323

was hired in September 2016 for the disabilities workgroup. As of mid-October, the Governor had not appointed the ABLE governing board members.

Moving Forward

Program Design

Commerce has significant experience leading competitive solicitations and administering investment programs, and has overseen the Developmental Disabilities Endowment Trust Fund (DDETF) program since it started in 1999. Commerce is modeling the ABLE program on the successful DDETF program.

Commerce expects 1,000 new enrollments each year during fiscal years 2018-2021. ABLE accounts could reach 4,000 by 2022 – almost twice the current DDETF program enrollments. ABLE has broader eligibility criteria for “disability” versus “developmental disability” for DDETF. Continuing federal legislation changes may expand eligibility to even more citizens. ABLE eligibility includes physical disabilities, mental health and military service-induced disabilities not allowed under DDETF.

Program Launch

Several states have launched ABLE programs with varying degrees of success. Commerce will learn from those states’ experiences to ensure a smoother start-up. This should allow Washington’s program to be efficient and effective.

Once appointed, the ABLE governing board will determine programmatic and philosophical components of the Washington’s program. Once that is done, Commerce will launch a competitive solicitation to identify a contractor to provide financial investment, marketing, management and operations of the ABLE program. Possible contractors include banks, credit unions, brokerage firms, and non-profit entities that would subcontract the financial services to a financial institution.

Commerce will engage stakeholders in the solicitation and scoring process. Commerce anticipates announcing the winning organization in early 2017. Commerce will complete a performance-based contract. It is anticipated the ABLE program will launch by July 1, 2017.

Rulemaking

Commerce anticipates entering into a rule making process during 2017 and 2018 to create Washington Administrative Codes like those governing the DDETF program.

Legislative Recommendations

At this time, there are no recommendations for legislative changes needed to implement the program.

Peter Tassoni, 360-725-3125, peter.tassoni@commerce.wa.gov

Washington Department of Commerce | 1011 Plum St. SE | P.O. Box 42525 | Olympia, WA 98504-2525