

633C.4 Other powers of trustees.

1. [Sections 633C.2](#) and [633C.3](#) shall not be construed to limit the authority of the trustees to invest, sell, or otherwise manage property held in trust.

2. The trustee of a medical assistance income trust or a medical assistance special needs trust is a fiduciary for purposes of [chapter 633A](#) and, in the exercise of the trustee's fiduciary duties, the state shall be considered a beneficiary of the trust. Regardless of the terms of the trust, the trustee shall not take any action that is not prudent in light of the state's interest in the trust. Notwithstanding any provision of [chapter 633A](#) to the contrary, the trustee of a medical assistance special needs trust shall be subject to the jurisdiction of the district court sitting in probate and shall submit an accounting of the disposition of the trust to the district court sitting in probate on an annual basis.

[94 Acts, ch 1120, §6](#)

C2005, §633.710

[2005 Acts, ch 38, §53, 55](#)

CS2005, §633C.4

[2006 Acts, ch 1030, §78](#); [2015 Acts, ch 137, §120, 162, 163](#)

2015 amendment to subsection 2 takes effect July 2, 2015, and applies retroactively to July 1, 2015; 2015 Acts, ch 137, §162, 163
Subsection 2 amended