

633C.2 Disposition of medical assistance special needs trusts.

Any income or assets added to or received by and any income or principal retained in a medical assistance special needs trust shall be used in accordance with a standard that is no more restrictive than specified under federal law. All distributions from a medical assistance special needs trust shall be for the sole benefit of the beneficiary to enhance the quality of life of the beneficiary, and the trustee shall have sole discretion regarding such disbursements to ensure compliance with beneficiary eligibility requirements. Any funds retained in the medical assistance special needs trust of a beneficiary who is also a designated beneficiary as defined in [section 121.1](#) may be transferred to the Iowa ABLE savings plan trust account of the designated beneficiary in accordance with [this chapter](#) and [chapter 12I](#). Any distinct disbursement in excess of one thousand dollars shall be subject to review by the district court sitting in probate. The department shall adopt rules pursuant to [chapter 17A](#) for the establishment and disposition of medical assistance special needs trusts in accordance with [this section](#).

[94 Acts, ch 1120, §4](#)

[C95, §633.708](#)

[95 Acts, ch 68, §8; 2005 Acts, ch 38, §53, 55](#)

[CS2005, §633C.2](#)

[2015 Acts, ch 137, §119, 162, 163; 2021 Acts, ch 136, §8](#)

Referred to in [§249A.3](#), [633C.4](#), [633C.5](#)

Section amended