

Centers for Medicare & Medicaid Services

<https://www.medicaid.gov/federal-policy-guidance/downloads/smd17002.pdf>

September 2017 – Directs State Medicaid Directors to disregard all funds in an ABLE account, including interest/earnings, in determining the resource eligibility of Medicaid applicants and beneficiaries who are subject to a resource test. Also directs state agencies to exclude the interest/earnings of the funds in an ABLE account with respect to countable income when determining eligibility for the Medicaid program.

Social Security Administration

<https://secure.ssa.gov/apps10/poms.nsf/lnx/0501130740>

April 2018 – Updates previous manual providing detailed information on ABLE accounts to be used by Social Security employees to process claims for Social Security benefits. Includes, among other things, explanations, definitions, and guidance on when to exclude ABL Account contributions, balances, earnings, and distributions; when to count ABL account balances and distributions; and how to verify, document and record ABL account information.

Internal Revenue Service/Treasury Department

<https://www.federalregister.gov/documents/2015/06/22/2015-15280/guidance-under-section-529a-qualified-able-programs>

June 2015 – Provides proposed regulations governing the process by which states or state agencies or instrumentalities may establish and maintain a qualified ABL program.

<https://www.irs.gov/pub/irs-drop/n-15-81.pdf>

November 2015 – Provides additional guidance to State ABL programs and program administrators on three provisions of previously proposed regulations with respect to: (1) the requirement to establish safeguards to categorize distributions from ABL accounts, (2) the requirement to request the taxpayer identification number (TIN) of each contributor to an ABL account, and (3) the requirements for disability certifications, and in particular the requirement to process disability certifications with signed physicians' diagnoses.

<https://www.irs.gov/pub/irs-drop/n-18-62.pdf>

August 2018 – Provides guidance to ABL programs on the ABL to Work Act, enacted in December 2017, which allows certain ABL beneficiaries who work and earn income to save additional amounts in their ABL accounts up to the federal poverty level.

<https://www.irs.gov/pub/irs-pdf/p907.pdf>

February 2018 – Provides direction to taxpayers on both the ABLE to Work Act, and the ABLE Financial Planning Act, also enacted in December 2017, which allows ABLE beneficiaries to roll over regular 529 accounts to ABLE accounts up to the annual maximum contribution.

USDA Food and Nutrition Service

<https://www.federalregister.gov/documents/2017/01/06/2016-30663/supplemental-nutrition-assistance-program-snap-eligibility-certification-and-employment-and-training#p-96>

January 2017 – Adds qualified ABLE programs as excludable resources for purposes of determining eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits.

Securities and Exchange Commission

https://www.sec.gov/oiea/investor-alerts-and-bulletins/ib_able_accounts

January 2018 – Provides investor education about ABLE accounts and answers key questions about eligibility, contribution limits and impact on federal and state taxes.

Municipal Securities Rulemaking Board

<http://www.msrb.org/EducationCenter/Municipal-Market/529-Plans/Considerations/MSRB-Role-with-ABLE-Programs.aspx>

Provides guidance to dealers and municipal securities advisors relating to ABLE programs, and requires that underwriters to ABLE programs submit certain information to the MSRB about the ABLE programs they underwrite.