



## **Crossing State Lines**

### **Special Needs Planning for Moving to a New State**

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No one enjoys moving; it's hard work and involves lots of detail (not to mention all of those boxes). Managing the transition for someone with special needs can be difficult; it's wise to begin planning as soon as you begin seriously considering relocating. Here are some considerations:

#### **Health Care**

Whether your family member's health care expenses are covered through the Affordable Care Act (ACA), other private insurance or Medicaid, you should establish your "safety net" well in advance. Research the doctors, therapists and other service providers available in the new location and reach out to local advocacy organizations for referrals. If you have a new-born or toddler, make contact with early intervention providers and become familiar with the services available in your new location. If possible, make contact and interview the prospective providers ahead of time, so that your network will be in place as soon as you arrive. If you can't meet face-to-face with new providers, you may want to have telephone consultations with them ahead of time.

Establish relationships with new doctors before you actually make the move; you will need to obtain and transfer medical files so that the new physician can be brought up to speed quickly. You should also obtain insurance pre-authorization for important prescriptions. Have at least a 30-day supply of your prescriptions on hand before moving. For school age children, learn about vaccination requirements in the new district and update vaccinations before leaving. If you wish to avoid certain vaccinations, look into the new school's vaccination waiver process and begin to assemble the required documentation so that you can begin the process and avoid a delay in your child's starting classes at the new school. Once you've arrived at your new home, schedule a face-to-face visit with your doctors as soon as possible.

Permanently moving to a new area with different health plan options generally qualifies for a 60-day special enrollment period under ACA, but you must confirm that you meet all of the eligibility requirements as early as possible.

**Medicaid** requires reapplication after the beneficiary has met residency requirements in the new location. This period differs by state and can create big problems for individuals who require uninterrupted care.

### **Special Education**

Your child's right to a free and appropriate education, wherever you may move, is protected by the Americans with Disability Act (ADA), Individuals with Disabilities Education Act (IDEA) and other civil rights legislation. But relocation will involve negotiating a new Individualized Education Plan (IEP) and/or 504 plan (which provides accommodations and services but not specialized education).

If your child's IEP is due to be updated by your current school district, conduct those discussions before the move. You should bring the new assessment of needed services, as well as supporting documentation, to the new school. If moving in the summer, be sure to get copies of all records before the end of the school year, since that becomes increasingly difficult when classes aren't in session.

Documentation of previous deliberations regarding your child's needs can be very persuasive to educators in your new location. You may even find yourself in the position of introducing them to new approaches that the new school district will welcome.

The Department of Defense maintains a special ed checklist for military families being redeployed.

### **Guardianship**

If your new home state hasn't signed a reciprocity agreement with the state you're leaving, [transferring guardianship can be complex](#). Differences may exist in definitions of capacity, limits to a guardian's authority, and more. You may need to petition for permission to relocate your ward and may even be required to reapply for guardianship once you move. Consult legal counsel in both states before you move to determine what must be done to avoid a disruption.

### **SSI/SSDI**

[Since SSDI \(Social Security Disability Insurance\) is based on an individual's work history](#), transfers to another state have no consequences. Simply supply the Social Security Administration with your new address on a timely basis and there should be no interruption in payments.

SSI (Supplemental Security Income) consists of both federal funds and state supplements. Total payments may change, based on shared living expenses (in-kind support) and differences in state programs.

### **SNAP (Food Stamps)**

While [there are federal rules governing this food assistance program](#), there are variations among the state agencies that implement it. While some states impose no asset limits, others do, with the most restrictive requiring that those with disabilities have no more than \$3,250 in assets. If you depend upon this benefit, verify a new state's guidelines.

### **Social Service Agencies**

Do advance research to identify local providers of day care, in-home services, social programs, career assistance and other supports.

### **Housing**

**Medicaid waivers** for community-based housing have long waiting lists across most of the States. New residents go to the bottom of the list.

**Section 8** rent subsidy vouchers are recognized nationwide, but individuals are responsible for finding their own housing. Notify your local public housing authority in advance and terminate your present lease according to its terms.

**Home Ownership** – Architects and housing planners may be available to view properties you're considering and to advise on adaptive construction and whether a specific property is appropriate for the modifications that will be needed. Building codes vary widely and building a ramp for New England's brutal winters or Arizona's summer heat will differ significantly.

### **Special Needs Trusts (SNTs) and Advance Directives**

Since differences in state law may require changes to these important planning documents, have them reviewed as soon as possible by a special needs attorney in the new state. A power of attorney and health care proxy are often first used during emergencies, and you'll want to ensure that they'll be honored when and if they're needed.

### **ABLE savings accounts**

As of this writing, ABLE savings accounts have yet to be established by any of the states, which must await IRS guidelines. However, it's understood that such accounts can be rolled over to a new account for the same beneficiary if that individual moves to a new state.

## DMV

It can be surprisingly time-consuming to acquire a handicapped vehicle permit in a new state. If possible, have a family member set up housekeeping early in order to get cars and vans registered ahead of time.

It's helpful to maintain an annually updated binder containing important documents and details. To avoid rummaging through boxes once you arrive at your new home, consider scanning your documents, then filing them in a Dropbox account so that you can easily retrieve them from "the cloud" when needed.

Given variations in state laws and programs, a relocation has the potential to significantly affect an individual's quality of life. Early planning can avoid much of the stress.

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