

How to Assess What's Important to Families with Individuals with Special Needs in a New City

Of all the life changes we experience, moving to a new city can undoubtedly be one of the most stressful and challenging situations. For families with a loved one with special needs, moving can add additional hardship, so it's critical to plan in advance and be proactive in focusing on making the transition as easy as possible on the individual with special needs.

Starting the Process

<u>T. Nikki Mitchell, Esq.</u> suggests the following tips early in the moving process:

- If the child is over 18 and under a guardianship, the parents should meet with the lawyer who established the guardianship and request a referral to a lawyer in the new state, one who specializes in transferring guardianship.
- If possible, do some research and identify the service providers in the new city, from a new medical support team to social services and education.
- Take advantage of the regional ARC, who can connect families with disability and special needs resources.
- If the child is receiving public health benefits, consider submitting an application to get Medicaid coverage in the new location.
- Take an active role in assessing the education system and possible schools, which help ensure a smoother transition for the special needs child entering a new school system.
- Look at the special needs services the new school district provides, to determine if your child can be assessed prior to the move.
- If the special needs child has health care needs that require support from specialists, make sure to find out what resources exist in the new location. For example, if you move from a city to a rural area, it will be important to research how far the family will need to travel to the nearest children's hospital or similar facility.
- If the special needs child has care needs that were being met at home, determine how those needs will continue to be met at home, or whether they can/should be transitioned to an external care team.

Finding Resources

Identifying a new support system, and the places where the family can start building a new community is also important, says <u>Ann McGee Green, Esq.</u> Community service boards, social service agencies, non-profit organizations that provide residential care, the Department of Social Services or other organizations can be located, often with just a quick internet search.

Social media can be a powerful tool in connecting families with an existing special needs community in a new city, whether it's a Facebook support group or a local church that provides respite ministry or childcare for families with a special needs individual.

A strong parent network can also help with the transitions. Parents are often the best people to connect with in a new city, and can provide a strong gateway to valuable resources, services and community providers. Parents will often know what doctors and care providers are the most sought after, and also the kinds of benefits and support that is available in the new location.

Legal issues

Take advantage of the time you have before moving and make sure your legal documents are all current and up to date. With the help of your existing legal team, examine any estate planning documents, including wills, powers of attorney and special needs trusts (if applicable), in preparation for the move.

Eric Schorr, Esq. suggests parents do this as part of a discussion about the transition to a new lawyer in the final location and utilizing resources like the <u>SNA</u> to help identify a new legal team. Transferring guardianship for children over 18 can be time-consuming, so it is helpful to start the process early.

For children under 18, finding a new institution to manage the child's resources can be an important step. Unlike Medicare, Medicaid is managed at the state level, so Medicaid benefits and qualification standards can vary greatly from state to state. Make sure you understand the rules in your new home state. The state laws affecting a child with special needs can likewise vary from state to state.

For example, in Mr. Schorr's home state of Louisiana, a person who, because of a physical or mental disability cannot manage his or her own affairs, as well as <u>any</u> child who has not attained the age of 24 years, could be considered a "forced heir," which would require that that child receive a portion of a parent's estate determined by law. Without proper planning, the assets received by the force heir on the death of a parent, could disqualify the child from receiving certain means-tested benefits.

Additional Support

Depending on the state there might be additional resources that are available to the family in transition. For example, in Missouri, a bureau of special healthcare needs will assist in getting a case manager assigned to the family with a special needs loved one. If the dependent is of school age, additional service providers who can assist with an IEP will be available, and parents can feel confident they are taking the right steps to continue their child's education.

Finding an advocate in the new city can be helpful and make the process for the individual with special needs less intimidating. Special education coordinators, social workers, special needs teachers can all weigh in on the options being considered to support the child, to help them stabilize and thrive in a brand-new environment. There are special schools, for example a school that only enrolls children with special needs, but it takes careful planning and numerous conversations with school district officials and social workers to help place the child in this type of school system.

Finally, be persistent, ask lots of questions, and realize moving and getting settled can take a considerable amount of time. An individual with special needs requires extra care and attention during this process, to feel secure during the transition.

About this Article: We hope you find this article informative, but it is not legal advice. You should consult your own attorney, who can review your specific situation and account for variations in state law and local practices. Laws and regulations are constantly changing, so the longer it has been since an article was written, the greater the likelihood that the article might be out of date. SNA members focus on this complex, evolving area of law. To locate a member in your state, visit <u>Find an Attorney</u>.

Requirements for Reproducing this Article: The above article may be reprinted only if it appears unmodified, including both the author description above the title and the "About this Article" paragraph immediately following the article, accompanied by the following statement: "Reprinted with permission of the Special Needs Alliance—www.specialneedsalliance.org." The article may not be reproduced online. Instead, references to it should link to it on the SNA website.