



Connections

Information + Support

Families of Children with Special Needs

Alleghany, Ashe, Avery, Mitchell, Watauga, Wilkes, & Yancey counties

Fall 2011

FAMILY SUPPORT NETWORK - HIGH COUNTRY

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An Affiliate of
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North Carolina

With Support From

Appalachian State University
Children's Developmental Services
Agency—Blue Ridge
High Country & Mitchell United Way
Friends of Family Support
Network—High Country
Avery Partnership for Children
Mitchell-Yancey Partnership for
Children
Yancey United Fund

Protecting Your Assets & Your Child: Wills and Special Needs Trusts We Thought We had more time!

By Julie Davis



On July 30, 2010 the reality of procrastination crashed down in my life. My husband, Richard, was killed in a horrible accident at work. He was only 52. Neither one of us knew that Friday morning our kiss and hug goodbye would be our last. We thought we had more time.

It isn't enough to read articles, attend workshops and educate ourselves on planning for the future of a child with special needs you must take the next step and put what you learn into action.

Despite the overwhelming grief of losing my husband of 25 years and leaving my 3 three children fatherless; the reality of our procrastination was only the beginning of a yearlong nightmare. Unlike many people I knew how important estate planning and having things in order for our daughter, Mary Beth, who has special needs, was. But we kept putting it off.

With Richard's death, no Will, and no Special Needs Trust for Mary Beth; I was left with a legal mess and no clue how to resolve it. I began countless phone calls to anyone who could shed light into this ever growing pit. I assumed that the house wasn't an issue, but I was wrong. In NC if a spouse dies without a Will the property is divided between the surviving spouse and children. The adult children could deed their portion to me, but because Mary Beth has special needs her portion could only go into a Special Needs Trust or it would count as income and would cause her to lose her CAP/Medicaid.

This was only a preview of things to come. When I was informed Mary Beth would receive Workman's Compensation Survivor Benefits and Social Security Survivor Benefits, I thought Mary Beth and I would be okay financially until I could adapt and return to work. My relief was short lived. Medicaid considers the survivor benefits as income for Mary Beth. She was in danger of losing her CAP/Medicaid. How in the world could this be? The system meant to help a family who loses a parent was turning out to be anything but helpful.

I urgently needed to contact an attorney who specializes in Special Needs Trusts. I was in shock due to losing my husband and could barely comprehend the process of legal necessity. Time and words are too great for me to explain, blow by blow, what it has taken to keep Mary Beth's CAP/Medicaid in place. The process included developing the Special Needs Trust then having it approved by DSS and the NC Industrial Commission, no small feat. Now after 3 attorneys, 2 Guardian ad Litem's and hours of hard work the legal documents are in order. This still left me wondering how I was going to manage financially on one income when all the bills remained the same! Then the next big obstacle was Social Security Survivor Benefits, they could not be placed in the Special Needs Trust. As you might guess the amount Mary Beth was to receive was over the allowed amount so now I must pay a deductible, track the expenses then report them to DSS as quickly as possible before her Medicaid will become active -this is now a monthly process.

I wouldn't wish my journey from the last year on anyone. **One of the biggest lies we tell ourselves is that we can do it later-that we have more time. Please act now!** Julie

WORKSHOP ON FUTURE PLANNING ON NOVEMBER 14, 2011 6:30 pm CDSA Boone, NC
CHECK PAGE 2 FOR DETAILS



Banana Nut Cheerios Energy Bars. An energy-packed snack!

Ingredients

- 4 cups Banana Nut Cheerios cereal
- 1 cup sweetened dried cranberries
- 1/3 cup slivered almonds, toasted
- 1/3 cup roasted unsalted sunflower nuts
- 1/2 cup light corn syrup
- 1/4 cup packed brown sugar
- 1/4 cup creamy peanut butter
- 1 teaspoon vanilla

Directions

1. Spray 9-inch square pan with cooking spray. In large bowl, mix cereal, cranberries, almonds, and sunflower nuts. Kids will love to mix the ingredients!
2. In 2-quart saucepan, heat corn syrup, brown sugar and peanut butter to boiling over medium-high heat, stirring constantly. Boil and stir 1 minute. Remove from heat; stir in vanilla.
- 3.. Pour syrup mixture over cereal mixture; toss to coat. Press firmly in pan. Cool completely, about 30 minutes. For bars, cut into 6 rows by 4 rows.

Recipe from <http://content.cheerios.com/recipes/banana-nut-cheerios-energy-bars/eedea714-b322-42c8-a7d1-f5d8bcd0e561>

Love and Logic Helpful hint...Guidelines for Giving Choices

- Only give choices that fit your value system
- Give 99% of your choices when things are going well
- Give choices before the child becomes resistant
- For each choice, give two options, each of which you like
- Use care not to disguise threats as choices
- Don't be afraid to say, "I usually give choices, but not this time."
- If your child does not choose within 10 seconds, choose for him or her

Area Support Groups: Contact Information

Ashe County Support Group: Norma Bouchard at 336/246-3222 or toll free: 866/812-3122 or bouchardnj@appstate.edu

Mitchell County Support Group: Teresa Emory at 866/448-5781 or emorytd@appstate.edu

Watauga County Support Group: Kaaren Hayes at 828/262-6089 or toll free: 866/812-3122 or hayeskl@appstate.edu

Wilkes County Support Group: Norma Bouchard at 336/838-0977 ext. 212 or toll free: 866/812-3122 or bouchardnj@appstate.edu

Yancey County Support Group: Teresa Emory at 828/682-4772 or emorytd@appstate.edu

FSN-HC INVITES YOU TO A **FREE- NO STRING ATTACHED WORKSHOP**

PLANNING FOR THE FUTURE Nov. 14, 2011

Attorney James Deal will discuss how to plan for the future of your child including special needs trusts.

A Northwestern Mutual representative will have materials specific to children w/ special needs and their families.

Registration & Light Meal from 6:30 pm–7:00 pm Presentation begins at 7:00 pm

Children's Developmental Services Agency (CDSA) 2359 Hwy. 105 Boone, NC

Directions, Information, to Register: 828/262-0689 Toll Free 866/812-3122 or hayeskl@appstate.edu

PLEASE Register by November 11th!

With Support From

