

ABLE 101 Part 2: Eligibility

Do I qualify for an ABLE account?

ABLE accounts are open to people with disabilities who acquired their disability before the age of 26. It doesn't matter how old somebody is right now; it just matters when their disability came about. This can include disabilities from birth, such as developmental disabilities, or acquired disabilities, such as chronic health conditions or major physical injuries.

People can document their eligibility in different ways. They are automatically eligible if they are on SSI for disability, and the disability occurred before they turned age 26. Account-holders can get a letter from a physician verifying that they have a qualifying disability. Otherwise, they can self-certify that they have a qualifying disability – and of course, people should be prepared to justify a disability with personally held information or a physician's note.

What counts as a “disability”?

To qualify for an ABLE Account, a person must have a “significant disability” with an onset before they turned age 26. This is based on the Social Security Administration's (SSA) criteria of disability. If somebody is receiving SSI or SSDI based on disability, and they acquired their disability before age 26, they automatically qualify. Otherwise, they must have significant functional limitations that affect their ability to perform daily tasks. This may be based on physical disability, chronic illness, a visual impairment, hearing impairment, cognitive impairment, or psychological disability. If somebody has a qualifying disability but is not on SSI or SSDI, they can get a doctor's note showing that they have a qualifying disability. They can also self-certify a disability in their ABLE application, but they should be ready to provide a physician's information to verify just in case. For more information on SSA's definition of disability, check out the [Social Security Disability SSI Resource Center's page on functional limitations](#).

I'm over 26 years old but acquired my disability before I turned 26. Am I still eligible?

Yes. It doesn't matter how old you are now – if you have a disability and acquired it before your 26th birthday, you can open an ABLE account. This is also relevant for people who have had their disability since birth.

My disability developed over time. How do I show I acquired it before age 26?

This is where it's important to have a doctor's note. Work with your doctor to go through your medical records and pinpoint any first major symptoms or diagnosis. If you were officially diagnosed before age 26, you'll be okay. If there wasn't an official diagnosis, your doctor may still demonstrate that, based on symptoms, you actually had the disability by age 26 even though it wasn't officially diagnosed at the time. Your doctor just needs to provide justification.

I have a qualifying disability but don't receive any benefits. Can I still open an account?

Yes, you can. If you don't receive benefits right now, you aren't affected by asset limits. But if you have a disability and may qualify for benefits in the future, opening an account beforehand can be a good idea. This is because there is a limit on how much money you can put in per year – so the longer the account is open, the more you can have saved away when you do enroll in benefits. Having money in an ABLE account also means you won't need to spend down a bank account before you can enroll in SSI, Medicaid, or other benefits when the time comes. ABLE accounts even offer tax-advantaged investing for account-holders, so they may be a good long-term investment option compared to a savings account or other investment fund.

I acquired my disability after I turned 26. Is there a chance I'll be able to open an account in the future?

Yes, there is a possibility that ABLE's rules will change so that people who acquired a disability after age 26 can open an account. The ABLE Age Adjustment Act (H.R.1874/S.817) would raise the age of eligibility from 26 up to age 46. This bill is moving through Congress and has stalled a couple of times, but still has the potential to pass in the future (January 2018). If you would like to see ABLE accounts open to more individuals, this provides an opportunity for advocacy in your community.

I already have one ABLE account. Am I eligible to open a second account?

No. An individual can only have one ABLE account at a time. However, if you want to change ABLE programs entirely (for example, if your state opens a new program or you find a better option than your current one), you can move your funds over to a new account and close the original account. It is only possible to change programs once per calendar year.