

ABLE Committee  
Meeting Minutes  
9.10.25

Attendees:

Theresa Baldry – Chair Elect  
Kathleen Magone – Vice Chair Elect  
Michael Wood – Board Member  
Lloyd Sparks – Board Member  
Travis Hoffman - Public  
Marsha Goetting – Public  
Shilo Patera - Public  
Gina – Public  
Lynette Johnson – Meeting Minutes

The meeting was called to order at 10:00 am on the 10<sup>th</sup> of September 2025 by Theresa Baldry.

Theresa began the meeting with reading a public comment from a new ABLE account holder.

“Sept 10, 2025, ABLE Account Comments

“Hi Able Committee Board,

“This is a follow-up to my previous comments at the July 2025 meeting. As a new account owner there have definitely been some hiccups. We got the documentation we needed so my account could be active but that was just the first hiccup of many. My parents sent a check for graduation money at the end of June. The check was initially delayed because of the documentation issues spoken about July 2025 meeting, but it was delayed even further I believe because it was a check. The money was not in my account until the middle of August after 5 phone calls, and each time being told that my money would be in my account within five business days. I am lucky enough that I didn't need the money. I was just putting it in the ABLE account for savings purposes, but if someone needed to access their cash faster or for an emergency, that would be a problem. In subsequent transactions I have used the online money transfers, but I know not everyone feels comfortable doing that, it makes people nervous, including my father who is a computer science professor. Also, not everyone would have the technological knowledge to know how to do that. My other problem that I had is I wanted to add both my parents to have access to this account in case of medical emergency. That means the ABLE account required a power of attorney form. The power of attorney form that was required and provided by the ABLE account, had smaller than normal size font, and as a visually impaired person who can barely read standard 12 size font, it was impossible for me to read by myself. It also had to be notarized with a witness, and as a person who cannot drive if I didn't live with my parents, transportation might be difficult. Considering ABLE accounts are specifically for disabled individuals, it does not seem very accessible. Hopefully at some point, these issues can be resolved. If the committee would like more information or ideas on how to fix these issues, please let me know.

Thank you.

Lucy Galarus”

Theresa then asked if there were any further public comments.

Travis had no comment.

Gina asked if this is the typical experience of Montanans.

Theresa stated she cannot answer that question in public comments.

Gina stated she has an ABLE account through another state that has zero fees and zero minimums. She finds state run accounts are not user friendly and voiced concerns that if not properly managed individuals with developmental disabilities can be taken advantage of. Said that a number of years ago at a meeting she found it interesting the minimal knowledge of State employees regarding ABLE accounts. She feels they should be available at any age, that adaptive equipment is costly. She stated that MT Developmental Disabilities residents' money is theirs and if done right there would be no fees; that they should have more control over their accounts.

Travis talked about a ramp he had installed on his house. For over two weeks the contractors did not receive their checks. Travis had to cancel the checks and money was returned to his ABLE account as a new contribution. He stated that this would eat up contribution limits for individuals.

No further public comments.

The agenda was reviewed and approved. Kathleen moved to approve and Michael seconded it.

Action Item:

There were edits from the 25<sup>th</sup> of July meeting. Kathleen approved the minutes with the corrections. Michael seconded it. All in favor – approved.

New Agenda:

Update – new committee members are needed. This could possibly be Theresa's last meeting. In addition there is one position open for a persons with a disability. The question was asked if there were any appointments made by the governor; no one had heard of any.

ABLE program alternatives were brought up. There is no tracking method available for cross programs at this time. ABLE NRC may be the best resource for information regarding that.

Theresa said she would contact National ABLE Resource Alliance to see if they have the capability to track ABLE accounts in Montana and nationwide.

New Business:

Michael presented the report on current ABLE accounts. ABLE accounts increased by eleven percent in quarters one through two. The data was not Montana specific. It was mentioned that the “Big Beautiful Bill” affects ABLE accounts – members of the Board were unaware of that. House Resolution One was mentioned.

On the 18<sup>th</sup> of September, 2025 RFP meeting being held for recommendations to (?)Alliance. On the 1<sup>st</sup> of October, 2025 Alliance members will vote on recommendations.

Marsha brought up that companies running ABLE accounts should prove account statuses.

New Meeting/Training Information:

Discussion for assistance/concerns for account holders, the Chair said that it would be added to the list of concerns to address.

Kathleen had a question for Gina: Since Gina does not have a state run account, it goes through a financial institution, what state does that and does that state contract with 3<sup>rd</sup> parties? Kathleen was unaware there were accounts that did not go through the states. Gina stated she has a 501(c) account. Kathleen mentioned under the College Savings Plan beneficiaries who were unable to use money for college could request funds be transferred to ABLE accounts. Theresa stated Montana’s ABLE program is a member of a consortium. Marsha explained that ABLE accounts set up in the early days were not set up through Montana as no program existed then., Now Montana has a program so Montana residents can choose to have a Montana ABLE account..

Travis talked about the ADA celebrations. Cheyenne Rivers made contact with him, and is looking for ABLE account ambassadors. Travis provided her contact information in the chat box.

Cheyenne Rivers  
Project Coordinator  
1701 K Street NW  
Suite 1000  
Washington DC 20006  
202.296.2040 (Office)  
406.360.0015 (Cell – use for immediate needs)  
[crivers@ndi-inc.org](mailto:crivers@ndi-inc.org) (Email)

The MT ABLE Program Manager is currently being filled by Cathy Murphy, but a new point of contact is needed. Michael said he would check into it.

Marsha is still working on the revised MontGuide about ABLE accounts. If you have any questions, please email her. She provided her email in the chat box.

Marsha.goetting@montana.edu

New platform for meetings – Theresa got seven-year contract for next year and will continue to hold meetings on zoom. She will be setting up a calendar to enter tasks on.

Montana Code Annotated MCA 53-25-119: any questions or comments? Marsha pointed out individuals can only get their own records, no general public access.

Montana Code Annotated MCA 53-25-120 ABLE accounts will not be counted as a resource. Marsha pointed out that is true until the (?)396 is exceeded. Feels that money limits need to be set. Shyla said there is no leeway with noncontributing guardians. Theresa said if the guardian is not a family member of the account holder, a Power of Attorney may need to be in place. Shyla asked about OPA knowledge of ABLE accounts, and she felt Montana views guardianship differently from other states which have gone to less restrictive settings. Kathleen said a guardian has control over money and body (i.e. medical) and conservatorship only has control of money. Theresa said in recognition of the less restrictive laws, Montana might be turning to less restrictive alternatives.

Michael brought up the IRS guidance for information on contributions. He put the title in the chat box.

#### IRS Guidance on Inflation Adjusted Contribution Limits for ABLE Account Contributions

The guest that Michael had invited unfortunately was a no show. He will try to get her on the November call.

The next meeting will be held on the 12<sup>th</sup> of November, 2025. No meetings have been scheduled after that. Kathleen recommended scheduling more meetings, bi monthly on the second Wednesday at 10am. Theresa said she would bring a draft of activities/tasks.

Lieutenant Governor Juras responded to question about the \$3000 cap listed in Montana Code Annotated MCA 53-25-117, asking if this would need to be linked to federal law. She explained that amount is state governed, not federal, so no changes are necessary.

Any members of the public interested in being included on calendar invite? There were a few yeses. Kathleen mentioned adding Deb Conwell to the list as well: justcalldeb@gmail.com

Lloyd talked about special funds accounts – administrators are DPHHS, but he finds the language conflicting. (?)

Kathleen asked Marsha about the current status of the revised MontGuide, with a concern that DPHHS and Medicaid Recovery disagree on where money goes upon member's death. Gina stated Montana has clawback. Theresa is going to ask for clarification. Kathleen said a

clawback existed if the individual had ever been on Medicaid. The State may try to go back to before an ABLE account was established.

Lloyd wanted to thank Michael for all of his work and Kathleen wanted to thank Michael and Theresa as well. Kathleen asked if there was a way to contact the prior note taker to send a thank you note, but nobody had that contact information.

Meeting adjourned.