

114TH CONGRESS  
1ST SESSION

# S. 349

---

## AN ACT

To amend title XIX of the Social Security Act to empower individuals with disabilities to establish their own supplemental needs trusts.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Special Needs Trust  
3 Fairness Act of 2015”.

4 **SEC. 2. FAIRNESS IN MEDICAID SUPPLEMENTAL NEEDS**  
5 **TRUSTS.**

6       (a) **IN GENERAL.**—Section 1917(d)(4)(A) of the So-  
7 cial Security Act (42 U.S.C. 1396p(d)(4)(A)) is amended  
8 by inserting “the individual,” after “for the benefit of such  
9 individual by”.

10       (b) **EFFECTIVE DATE.**—The amendment made by  
11 subsection (a) shall apply to trusts established on or after  
12 the date of the enactment of this Act.

Passed the Senate September 9, 2015.

Attest:

*Secretary.*



114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**S. 349**

---

**AN ACT**

To amend title XIX of the Social Security Act to empower individuals with disabilities to establish their own supplemental needs trusts.