



Community Fund Ohio
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Closing a Trust Due to a Beneficiary's Death

The process to close a trust, which we refer to as a beneficiary's sub-account, due to the death of the beneficiary can vary depending on the type of trust, the date of the beneficiary's death, and how quickly Community Fund is notified. Due to federal and state law, as well as tax and other considerations, the closure process can be complex, and it can take more than five months. This handout provides a general overview of our process.

All questions regarding Distribution Requests after a beneficiary's death should be directed to Lana Ellis in our Distribution Department. She can be reached at 216.736.4540 ext 103. All other questions regarding the process for closing a trust after a beneficiary's death should be directed to Paralegal Marija Bellow at 216.736.4540 ext 106.

Community Fund Management Foundation Pooled Medicaid Payback Trust

This is the general process for all Agreement Numbers that begin with a "P." For example, P93-02-8741 or P91-13-0100R. Please see page 4 for our process on our other type of trust known as a Master Trust.

- Community Fund will provide information to the Designated Advocate. The Designated Advocate is our main point of contact and we ask that only the Designated Advocate contact our office unless we have an authorization on file to speak with another person or entity. We also provide limited information to Remainder Distributees during the closing process
- The process begins with the Designated Advocate calling Community Fund at 216.736.4540 ext 106 and notifying us of the beneficiary's death.
- The Designated Advocate (or another party directed by the Designated Advocate) needs to provide a certified death certificate (not a copy) to Community Fund via mail within 30 days. Community Fund cannot begin the trust process closure or process any distribution requests until the certified death certificate has been received by Community Fund.
- Community Fund will send an explanatory letter to the Designated Advocate.
- Community Fund will notify our Trustee of the beneficiary's death and will ask the Trustee to liquidate the sub-account so it is held in cash.
- Our Trustee will calculate and deduct its Trustee Closing Fee. Our Trustee will not continue to charge monthly Trustee Fees.
- Community Fund will deduct its Trust Advisor Closing Fee for any sub-account established on or after January 1, 2019. We will not continue to charge our annual Trust Advisor Fee.



- Any other known tax or administrative expenses will be deducted from the sub-account.
- Community Fund will work with our Trustee to identify any outstanding checks previously issued. A stop payment may be placed on outstanding checks.
- Community Fund will stop any pending or monthly Distribution Requests and will seek reimbursement of any distributions made after the beneficiary's date of death. All questions about Distribution Requests after a beneficiary's death should be directed to Lana Ellis at 216.736.4540 ext 103.
- The Designated Advocate may submit one final Distribution Request form using the standard form within 30 days of the beneficiary's death. It may include multiple items so long as it is submitted on one form.
 - Community Fund will not process the final Distribution Request until we have a certified death certificate.
 - There is no guarantee that a Distribution Request submitted after the beneficiary's death will be approved.
 - The Distribution Request will be reviewed by the party designated in the Joinder Agreement according to that party's policies.
 - If the Joinder Agreement leaves the remaining funds at the beneficiary's death to Community Fund, Community Fund will review the Distribution Request.
 - If the Joinder Agreement leaves the remaining funds at the beneficiary's death to one of our nonprofit partners, that partner will review the Distribution Request.
 - If the Joinder Agreement chooses to repay Medicaid at the beneficiary's death, the Ohio Attorney General's office will review the Distribution Request.
 - All questions about Distribution Requests after a beneficiary's death should be directed to Lana Ellis at 216.736.4540 ext 103.
- Community Fund will send the death certificate and a copy of the Joinder Agreement to the Ohio Attorney General's office.
 - The Ohio Attorney General's office will provide a preliminary Medicaid claim or will acknowledge the funds are to be retained by Community Fund or one of our nonprofit partners, depending on the Joinder Agreement.
 - Community Fund must communicate with the Ohio Attorney General's office and cannot accept a statement that the beneficiary never received Ohio Medicaid from the Designated Advocate or the Designated Advocate's attorney.



- If the remaining funds were left to Community Fund or one of our nonprofit partners in the Joinder Agreement, Community Fund will take steps to close the sub-account and distribute the remainder to pursuant to the Joinder Agreement.
- If the Medicaid claim exceeds the amount in the sub-account, Community Fund will take steps to close the sub-account and pay the remainder to the State.
- If the Medicaid claim is less than the amount in the sub-account, Community Fund will request a final claim no earlier than five months after the beneficiary's death.
- If Ohio does not have a claim, or if the final Medicaid claim is less than the amount in the sub-account, Community Fund may ask for the Designated Advocate's assistance in locating the Remainder Distributees identified in the Joinder Agreement.
 - Community Fund will mail an IRS Form W-9 to all Remainder Distributees. This is a standard IRS form necessary for tax reporting.
 - Once Community Fund receives a completed and accurate W-9 from all Remainder Distributees, Community Fund will work with our Trustee to issue checks to the Remainder Distributees.
 - Community Fund and our Trustee will also take steps to document the distribution to allow the Trustee's CPA to prepare the appropriate tax forms. A brief explanation of the tax considerations is on page 6.
- Sub-accounts with beneficiaries who received Medicaid in other states will have additional procedures to ensure Community Fund pays all claims up to the amount in the sub-account.
- Sub-accounts that are court supervised may be required to pay court costs and the Trustee's attorney fees, in addition to following any filing requirements of the probate court.
- The Designated Advocate will continue to receive paper statements or online access until the sub-account is closed.
- The Designated Advocate will receive a closure letter by mail after the sub-account is closed.
- The Designated Advocate and Remainder Distributees should notify Community Fund of any address changes during the closure process and for 12 months after the sub-account is closed to ensure proper receipt of checks, tax documents, and other communication.
- A brief explanation of the tax considerations is on page 6.



Community Fund Management Foundation Master Trust

This is the general process for all Agreement Numbers that begin with an “M.” For example, M89-00-8036. Please see page 1 for our process on our other type of trust known as a Pooled Medicaid Payback Trust.

- If the Master Trust is unfunded and revocable, we communicate with the Grantor. If the Master Trust is fully funded and revocable, or if it is irrevocable, we communicate with the Designated Advocate.
- The process begins with the Grantor or Designated Advocate calling Community Fund at 216.736.4540 ext 106 and notifying us of the beneficiary’s death.
- The Grantor or Designated Advocate needs to provide a certified death certificate (not a copy) to Community Fund via mail within 30 days. Community Fund cannot begin the trust process closure until the certified death certificate has been received by Community Fund.
- Community Fund will send an explanatory letter to the Grantor or Designated Advocate.
- Community Fund will notify our Trustee of the beneficiary’s death and will ask the Trustee to liquidate the sub-account so it is held in cash.
- Our Trustee will calculate and deduct its Trustee Closing Fee. Our Trustee will not continue to charge monthly Trustee Fees.
- Community Fund will deduct its Trust Advisor Closing Fee for any sub-account established on or after January 1, 2019. We will not continue to charge our annual Trust Advisor Fee.
- Any other known tax or administrative expenses will be deducted from the sub-account.
- Community Fund will work with our Trustee to identify any outstanding checks previously issued. A stop payment may be placed on outstanding checks.
- Community Fund will stop any pending or monthly Distribution Requests and will seek reimbursement of any distributions made after the beneficiary’s date of death. All questions about Distribution Requests after a beneficiary’s death should be directed to Lana Ellis at 216.736.4540 ext 103.
- The Joinder Agreement will identify if the Designated Advocate may seek payment for funeral expenses, attorney fees, or the beneficiary’s estate administration. Community Fund cannot accept a Distribution Request for any other item.
 - Community Fund will not process the final Distribution Request until we have a certified death certificate.
 - All questions about Distribution Requests after a beneficiary’s death should be directed to Lana Ellis at 216.736.4540 ext 103.



- There is no Medicaid payback from a Master Trust.
- If the remaining funds were left to Community Fund or one of our nonprofit partners in the Joinder Agreement, Community Fund will take steps to close the sub-account and distribute the remainder to pursuant to the Joinder Agreement.
- If the remaining funds were left to other individuals, trusts, or charities, Community Fund may ask for the Designated Advocate's assistance in locating the Remainder Distributees identified in the Joinder Agreement.
 - Community Fund will mail an IRS Form W-9 to all Remainder Distributees. This is a standard IRS form necessary for tax reporting.
 - Once Community Fund receives a completed and accurate W-9 from all Remainder Distributees, Community Fund will work with our Trustee to issue checks to the Remainder Distributees.
 - Community Fund and our Trustee will also take steps to document the distribution to allow the Trustee's CPA to prepare the appropriate tax forms. A brief explanation of the tax considerations is on page 6.
- Sub-accounts that are court supervised may be required to pay court costs and the Trustee's attorney fees, in addition to following any filing requirements of the probate court.
- The Grantor or Designated Advocate will continue to receive paper statements or online access until the sub-account is closed.
- The Grantor and/or Designated Advocate will receive a closure letter by mail after the sub-account is closed.
- The Grantor, Designated Advocate, and Remainder Distributees should notify Community Fund of any address changes during the closure process and for 12 months after the sub-account is closed to ensure proper receipt of checks, tax documents, and other communication.
- A brief explanation of the tax considerations is on page 6.



Tax Information for Community Fund Management Foundation Pooled Trusts

Community Fund Management Foundation Pooled Trusts report tax information on a calendar year basis. Tax documents will be mailed by March 15 for any pooled trust that had a balance at any point during the prior calendar year.

Tax documents will not be prepared for sub-accounts that had a zero balance during the entire prior calendar year. This means that sub-accounts that paid a setup fee but have had no other deposits will not receive a tax document (e.g., unfunded Master Trusts).

Pooled Trust Type	Tax Document Prepared	Mailed To	Reported on Income Tax Return For *
Pooled Medicaid Payback Trust or Roll-In	Grantor Letter	Designated Advocate	Beneficiary
Irrevocable Master Trust	K-1	Designated Advocate	Beneficiary
Revocable Master Trust	Grantor Letter	Grantor	Grantor

This handout applies to sub-accounts that have been funded and are administered for a living beneficiary. Our trustee, Huntington National Bank, may need to prepare a different tax document if a beneficiary or grantor has died. A person that receives a distribution check from the trust after the death of the beneficiary (known as a remainder distributee) can expect to receive a K-1. The K-1 may be issued in the same year that the remainder distributee received the distribution check although it is more likely the K-1 will be issued the following calendar year. Please notify Community Fund if a beneficiary, designated advocate, grantor, or remainder distributee moves or dies to ensure the correct tax documents are prepared and mailed to the appropriate party.

For questions about the tax document you received from the trustee or if you have not received your tax document for the prior year by March 31, please contact Huntington National Bank's Specialty Trust Department at 866.737.4590.

For all other questions related to a Community Fund Management Foundation Pooled Trust, please contact Community Fund Ohio at 216.736.4540.

*If you have questions about how to report information on your income tax return or to discuss whether you are required to file an income tax return or pay taxes, please talk with your tax preparer. Unfortunately, Huntington and Community Fund cannot answer tax questions and this handout is not intended to provide tax or legal advice.