

WAC 365-220-015 What definitions apply to this chapter? "Beneficiary" means an eligible person for whom an individual trust account has been established within the trust fund and who is identified in the joinder agreement.

"Department" means the department of commerce.

"Disbursement plan" means a plan, submitted by the primary donor at the time of enrollment as part of the joinder agreement, that identifies the goods or services most likely to be appropriate to the supplemental needs of the beneficiary. The primary donor may periodically change the disbursement plan by amending the joinder agreement.

"Disposition plan" means a plan, submitted by the primary donor at the time of enrollment as part of the joinder agreement, that directs how any remaining private funds will be disbursed from the individual trust account on the death of the beneficiary.

"Governing board" means the seven-member group established according to RCW 43.330.433 to design and administer the trust fund.

"Individual trust account" means the account that holds assets for the benefit of an individual beneficiary within the trust fund.

"Joinder agreement" means an agreement establishing the primary donor's consent to the master trust document for the trust fund. The joinder agreement shall include the disbursement plan and the disposition plan for the individual trust account, and designate the primary representative and additional persons authorized to request disbursements.

"Master trust" means the developmental disabilities endowment trust I agreement or the developmental disabilities endowment trust II agreement, as may from time-to-time be amended.

"Primary donor" means the person whose funds are contributed to an individual trust account at the time the individual trust account is established pursuant to the joinder agreement.

"Primary representative" means one or more persons designated in the joinder agreement as having the authority to communicate to the trust manager or governing board concerning the interests and needs of the beneficiary of an individual trust account. Multiple alternate primary representatives may be designated in the joinder agreement and the joinder agreement may include a process to identify additional alternate primary representatives.

"Resident" means a person who lives in the state of Washington. For purposes of the trust fund, a beneficiary must be a resident at the time of enrollment.

"State administrator" means the person designated by the governing board to serve the administrative functions of the developmental disabilities endowment trust fund as defined by the governing board and act as the liaison with other state agencies to facilitate governing board activities.

"Trust fund" means the developmental disabilities endowment trust fund.

"Trust manager" means the person or persons or entity designated by the governing board pursuant to RCW 43.330.431. The trust manager may be authorized to:

- (a) Process enrollments;
- (b) Receive contributions to individual trust accounts;
- (c) Make disbursements in its discretion consistent with and as authorized under this chapter, upon consideration of the disbursement plan filed by the primary donor as part of the joinder agreement when making decisions regarding disbursements;

(d) Manage and provide accounting information on the individual trust accounts; and

(e) Other duties as assigned by the governing board in accordance with the contract with the trust manager.

"Vested account" means an account that has initially qualified for matching funds by meeting requirements over a three-year period.

[Statutory Authority: RCW 43.330.430 through 43.330.437. WSR 19-07-034, § 365-220-015, filed 3/13/19, effective 4/13/19. Statutory Authority: RCW 43.330.240. WSR 02-07-026, § 365-220-015, filed 3/12/02, effective 4/12/02.]