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*Attorney General*

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Assistant Attorney General*

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STATE OF MARYLAND  
**OFFICE OF THE ATTORNEY GENERAL**  
DEPARTMENT OF HEALTH AND MENTAL HYGIENE

FAX NO.  
410-333-7894

November 6, 2008

WRITER'S DIRECT DIAL NO.  
410-767-6526

Mary O'Byrne  
Frank, Frank & Scherr, LLC  
1400 Front Avenue, Suite 200  
Lutherville, MD 21093

RE: The First Maryland Disability Trust

Dear Ms. O'Byrne:

On September 8, 2008, the Office of the Attorney General received a revised copy of The First Maryland Disability Trust, which was originally approved on November 30, 2007. The changes made by the Social Security Administration are permissible, and the trust still conforms to the applicable provisions of COMAR. We have enclosed a stamped copy of the trust for your records.

If you have any questions, please do not hesitate to contact me at 410-767-5959.

Sincerely,

A handwritten signature in cursive script that reads "Mary Sue Welcome".

Mary Sue Welcome  
Assistant Attorney General

cc: Michael Levine, Esquire  
enc.

**DOUGLAS F. GANSLER**  
*Attorney General*

**KATHERINE WINFREE**  
*Chief Deputy Attorney General*

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FAX No.

WRITER'S DIRECT DIAL No.

410-333-7894

November 30, 2007

410-767-6526

Mary O'Byrne  
Frank, Frank & Scherr, LLC  
1400 First Avenue, Suite 200  
Lutherville, MD 21093

RE: The First Maryland Disability Trust

Dear Ms. O'Byrne:

The Office of the Attorney General reviewed the above-captioned trust document for compliance with the federal and State law governing the effect of trusts on Medical Assistance eligibility. 42 U.S.C. § 1396p(d)(4)(C) and COMAR 10.09.24.08-2B(6)(b). The pooled trust document and joinder agreement submitted conform to the provisions of COMAR and are approved accordingly. We are returning a marked copy of the document that we reviewed.

When applying for or receiving Medical Assistance benefits, each beneficiary should send a copy of the executed joinder agreement to: Michael Levine, Esquire, Division of Recoveries and Financial Services, Department of Health and Mental Hygiene, 201 W. Preston Street, Baltimore, Maryland 21201.

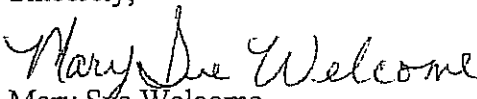
Please note that either the State Review Team or the Social Security Administration must determine that the beneficiary is disabled in order that the Trust not be counted as a resource during the determination of the beneficiary's financial eligibility for Medical Assistance benefits.

As you may know, the Department of Health and Mental Hygiene is subrogated to a Medical Assistance recipient's cause of action against liable third parties. Md. Health-Gen. Code Ann., § 15-120. If the beneficiary has received proceeds from the settlement or litigation of such a claim, please contact Mr. Levine at 410-767-1764 in order to resolve the Department's subrogation interests. Please be prepared to give Mr. Levine the Medical Assistance number for the beneficiary, if applicable, or the social security number and birth date. If the Department has a claim against the proceeds in this case, that claim must be satisfied before any of the funds are placed into a trust.

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If you have any questions, please do not hesitate to contact me at 410-767-5959.

Sincerely,

  
Mary Sue Welcome  
Assistant Attorney General

cc: Michael Levine, Esquire  
enc.