



MARYLAND STATE TREASURER  
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October 4, 2023

**MARYLAND PREPAID COLLEGE TRUST  
CLAIM PROCEDURES**

***FOR CLAIMS RELATING TO THE UPDATED TERMS INCLUDED IN THE MARYLAND  
PREPAID COLLEGE TRUST DISCLOSURE STATEMENT THAT WENT INTO EFFECT  
NOVEMBER 1, 2021<sup>1</sup>***

**I. Scope:** These claim procedures apply only to claims arising from the administration of the Maryland Prepaid College Trust (“Trust”) and related to the updated terms included in the Maryland Senator Edward J. Kasemeyer Prepaid College Trust Disclosure Statement that went into effect November 1, 2021, and are subject to and implemented in accordance with Section 18-1917 of the Education Article of the Annotated Code of Maryland.

**II. Definitions:**

- A. “Account Holder” means an account holder as defined in Section 18-1901(c) of the Education Article of the Annotated Code of Maryland who, on or after November 1, 2021, had an open and existing Prepaid Contract.
- B. “Claim” means a written demand for monetary damages arising from the administration of the Trust and related to the updated terms included in the Maryland Senator Edward J. Kasemeyer Prepaid College Trust Disclosure Statement that went into effect November 1, 2021, that is submitted to the Treasurer, and that meets the requirements of Section IV below.
- C. “Claimant” means an Account Holder or Qualified Beneficiary who submits a Claim in accordance with these claim procedures.

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<sup>1</sup> In accordance with Chapter 113 of the 2023 Laws of Maryland (“Chapter 113”), the Treasurer will adopt regulations for the claim process to be used for all other claims. As required by Chapter 113, notice will be provided to Account Holders within 10 business days of the adoption of such regulations.

- D. “Claim Administrator” means the person or people delegated by the Treasurer with the administrative duty of processing Claims.
- E. “Claim Portal” means the online system used for submission and administration of Claims. The Claim Portal can be accessed using the following link:
- <https://md529claimportal.powerappsportals.us/Maryland-Prepaid-College-Trust-Claim-Form>
- F. “Eligible Institution of Higher Education” means an eligible institution of higher education as defined in Section 18-1901(f) of the Education Article of the Annotated Code of Maryland.
- G. “Maryland 529” means the Maryland 529 program created by Title 18, Subtitle 19 of the Education Article of the Annotated Code of Maryland.
- H. “Prepaid Contract” means a prepaid contract as defined in Section 18-1901(j) of the Education Article of the Annotated Code of Maryland.
- I. “Qualified Beneficiary” means a qualified beneficiary as defined in Section 18-1901(l) of the Education Article of the Annotated Code of Maryland who, on or after November 1, 2021, was a qualified beneficiary of an open and existing Prepaid Contract.
- J. “Qualified Higher Education Expenses” means those qualified higher education expenses as defined in Section 18-1901(m) of the Education Article of the Annotated Code of Maryland.
- K. “Qualified State Tuition Program” means a qualified state tuition program as defined in Section 18-1901(n) of the Education Article of the Annotated Code of Maryland.
- L. “State Personnel” means a State employee or official who is paid in whole or in part by the Central Payroll Bureau in the Office of the Comptroller.
- M. “Submit” or its variations means actual receipt by the Treasurer.
- N. “Treasurer” means the State Treasurer of Maryland or the Treasurer’s Designee.
- O. “Treasurer’s Designee” means only the Chief Deputy Treasurer or the Deputy Treasurer with responsibility for administering Maryland 529.
- P. “Trust” means the Maryland Senator Edward J. Kasemeyer Prepaid College Trust established under Title 18, Subtitle 19 of the Education Article of the Annotated Code of Maryland.

### **III. Submission of Claims**

- A. A proper Claim shall:

- (1) Contain a concise statement of facts that sets forth the nature of the Claim;
- (2) State the name, address, telephone number and email address, if any, of the Claimant;
- (3) State the Prepaid Contract account number to which the Claim relates;
- (4) Contain a demand for money damages;
- (5) State the name, address, telephone number and email address of the legal representative for the Claimant, if any;
- (6) Relate to a Prepaid Contract that was open and existing on or after November 1, 2021; and
- (7) Be signed by the Claimant, or a legal representative on behalf of the Claimant.

B. A Claim may be submitted:

- (1) Online using the Claim Portal; or
- (2) By mailing a written notice of Claim to:

MPCT Claims  
c/o Maryland State Treasurer's Office  
Goldstein Treasury Building  
80 Calvert Street, Room 411  
Annapolis, Maryland 21401

- C. A valid Claim that meets the requirements of Section III(A) above, shall be deemed to have been submitted as of the date it is received by the Treasurer.
- D. Submission of a Claim to any unit of State government other than the Treasurer does not constitute proper submission of a Claim.
- E. A Claim submitted to the Treasurer that is not in compliance with the requirements stated above shall be denied.

#### **IV. Who May Submit a Claim**

- A. A Claim may be submitted to the Treasurer, as the fiduciary of the Trust, by an Account Holder, or by the authorized legal representative of the Account Holder, for a Prepaid Contract that was open and existing on or after November 1, 2021.
- B. A Claim may also be submitted to the Treasurer, as the fiduciary of the Trust, by a Qualified Beneficiary or by the authorized legal representative of the Qualified Beneficiary, but only

with respect to a distribution that was made to the Qualified Beneficiary or to an Eligible Institution of Higher Education on the Qualified Beneficiary's behalf and only with respect to a Prepaid Contract that was open and existing on or after November 1, 2021.

C. A Claim submitted by a legal representative shall:

- (1) Be presented in the name of the Claimant; and
- (2) Be signed by the legal representative.

D. A Claim Administrator may require that any Claim submitted by a legal representative be supplemented by evidence that the legal representative is authorized to submit a Claim on behalf of the Claimant.

## **V. Time for Filing**

A. A Claim shall be submitted no later than December 31, 2023.

B. The filing deadline set forth in Section V(A) above shall not be suspended or tolled by reason of infancy, incompetency, other disability, or filing of suit.

## **VI. Initial Verification**

A. Upon submission of a Claim, the Claim Administrator shall:

- (1) Verify the Claimant's identity and status as an Account Holder or a Qualified Beneficiary under a Prepaid Contract;
- (2) Verify the Prepaid Contract account information and that the Prepaid Contract was open and existing on or after November 1, 2021;
- (3) If the Claim was submitted by a Qualified Beneficiary or a legal representative of a Qualified Beneficiary, verify that the Claim relates to a distribution that was made to the Qualified Beneficiary or to an Eligible Institution of Higher Education on the Qualified Beneficiary's behalf; and
- (4) Verify that the Claim was timely submitted.

B. Once the Claim Administrator has verified the information listed in Section VI(A) above, the Claimant will receive a written acknowledgement that the Claim has been received and will be investigated in accordance with Section VII of this claims process.

C. If the Claim Administrator is unable to verify any of the information listed in Section VI(A) above, the Claim Administrator will notify the Claimant in writing of the need for additional information.

- D. If the Claimant fails to provide the additional information requested in a timely manner after being notified in writing in accordance with Section C above, the Claim may be denied.

## **VII. Investigation of Claim**

- A. The Claim Administrator will investigate a Claim submitted through the Claim Portal following completion of the verification process described in Section VI(A) above.
- B. To the extent possible, the investigation of Claims will be prioritized for Claimants who:
  - (1) Requested distributions for Qualified Higher Education Expenses before June 1, 2023;  
or
  - (2) Requested or will be requesting distributions for Qualified Higher Education Expenses for the fall of calendar year 2023.
- C. If during the course of the investigation, the Treasurer or the Claim Administrator determines that additional information is needed to make a determination as to whether to approve or deny a Claim, the Claimant will be notified in writing of the need for additional information. Failure to respond to requests for information may result in the denial of a Claim.
- D. Upon completing the investigation of a Claim, the Treasurer shall approve or deny the Claim, in whole or in part, and notify the Claimant in writing of the final determination.

## **VIII. Denial of Claim**

- A. The Treasurer shall notify a Claimant, or the legal representative of the Claimant, if any, in writing if a Claim is denied and such denial shall be final.
- B. A written final denial of a Claim by the Treasurer may include a general statement of the reason for the denial.

## **IX. Action on Approved Claim**

- A. A settlement of a Claim with the Claimant shall be final and shall fully dispose of the Claim.
- B. A settlement of a Claim, regardless of amount, is not valid without the approval of the Treasurer or the Treasurer's Designee.
- C. Payment of a settlement shall be predicated upon the Treasurer's receipt and approval of a release of the Claim and all claims relating to or arising from the administration of the Trust

against the Treasurer, the State, each of the State's units, all State personnel, Maryland 529, and the Trust, properly executed by the Claimant.

D. If a Claimant is represented by a legal representative and the Claimant's legal representative has presented suitable evidence of authorized representation to the Treasurer, a check issued by the Treasurer in payment of settlement shall, upon request of the Claimant's legal representative, designate both the Claimant and the legal representative as payee and shall be mailed or delivered to the Claimant's legal representative.

E. Acceptance by the Claimant of any settlement offered shall:

(1) Be conditioned on an agreement of the Account Holder to transfer all funds in the Prepaid Contract account at issue in the Claim to any other Qualified State Tuition Program;

(2) Be final and conclusive as to the Claimant, any Qualified Beneficiary of the Prepaid Contract to which the Claim relates, the Claimant's legal representative, and any other person who has or may make a claim related to the Prepaid Contract to which the Claim relates; and

(3) Constitute a complete release of any claim arising from the administration of the Trust against the Treasurer, the State, each of the State's units, all State personnel, Maryland 529, and the Trust.

#### **X. Payment of Claims Limited to Assets of Trust**

A. As set forth in Section 18-1917(h) of the Education Article of the Annotated Code of Maryland, any Claim by an Account Holder or a Qualified Beneficiary shall be made solely against the assets of the Trust.

B. The Treasurer's final determination with respect to each Claim will be made independently, and in the Treasurer's sole discretion in his role as fiduciary to the Trust.

C. The claims process set forth herein shall be the exclusive remedy for a Claim against the assets of the Trust.

**XI. Amendment of Claims Procedures:** These procedures may be amended by the Treasurer at any time. Notice of any amendment to these procedures will be posted on the Maryland 529 website ([www.Maryland529.com](http://www.Maryland529.com)) and sent by email to account holders who have registered for online account access at <https://access.mdprepaidcollegetrust.com/>.