

# Making the most of Social Security Benefits

## Commonly used terms & acronyms

- **SSA / Social Security Administration:** Federal agency that administers Social Security, SSI and Medicare
- **SSI / Supplemental Security Income:** “Needs based” cash benefits and Medicaid coverage paid to persons who are aged (age 65 or over), blind or disabled and who have limited income and resources
- **Social Security Disability, Retirement and Survivors Insurance Benefits:** Benefits paid based on reported work earnings.
- **SS DAC /Disabled Adult Child:** Cash benefits and Medicare coverage to a person with a disability that began before age 22 paid on the SS record of a deceased, retired or disabled parent

## Institutions

If a client is in a medical institution and is not receiving SSI, make a referral to SSA so that SSI will be in place to meet needs while in the facility and at the time of discharge. This includes children absent from the home more than a calendar month.

- People in “public institutions” not funded by Medicaid (ESH/WSH/jail) are not eligible for SSI but can apply several months prior to their anticipated release so benefits can begin quickly upon discharge. This is called [Prerelease](#).
- If you are working on moving someone from an institution, ask if the institution has a prerelease procedure in place with SSA; and if so request they follow it. If not, you can still assist the person to apply for benefits under this procedure.

## Explore benefits based on parental work history

Benefits based on parental work history for which the recipient may be eligible may be higher than SSI, are not based on income, provide more flexibility for the recipient, and may also entitle the beneficiary other health coverage. Potential benefits include SSDAC (Social Security Disabled Adult Child) /VA (Veterans Administration), (RRB) Railroad Retirement Benefits (RRB), and federal civil service (OPM):

- An "adult child"—natural, step or adoptive—who is unmarried, age 18 or older, and has a disability that started before age 22 may be eligible for child's benefits if a parent is deceased or starts receiving retirement or disability benefits. This is considered a "child's" benefit because it is paid on a parent's Social Security earnings record. SS DAC does not reduce the amount paid to the entitled parent.
- Information on a client's birth record can identify parents' names possibility they are retirement age—especially if client was in foster care, adoption, divorce or non-custodial parent. Information in the case record or other client files may indicate a parent is deceased, retired or disabled.
- the SSI eligibility process asks *“If you were unable to work before age 22 because of an illness, injury or condition, do you have a parent (including adoptive or stepparent) who is receiving social security retirement or disability benefits or who is deceased?”* Be aware of any information that may indicate the parent is deceased, retired or disabled. If yes, explain with an attachment or any space on the form. Do not check “no” unless you are certain that the answer is no.

## Temporary Institutionalization and Housing Maintenance Allowance (HMA)

When a person receiving SSI enters a medical or psychiatric facility throughout the calendar month, their benefits may be reduced to \$30 or \$0. SSI regulations (20 CFR 416.212) allow the recipient to receive their full SSI payment for up to 3 months when:

Lack of money is the root of all evil - Mark Twain

- The client (or payee) certifies SSI payments are needed to maintain their permanent residence;
- A physician certifies the stay is expected to be less than 90 days (will not be an overpayment if it goes beyond the 90 days unexpectedly); and
- SSA receives these certifications before the 90<sup>th</sup> day *OR* the date of returning home; whichever is earlier

CRMs/ payees should provide the above information to SSA as soon as possible.

The LTC financial team administers the HMA. Income (Social Security, etc.) for Medicaid recipients in a medical/psychiatric institution is expected to be used for institutional cost of care. Income may be exempted from use in cost of care for up to 6 months when:

- A social service staff certifies the income is needed to maintain the permanent residence;
- A physician certifies the stay is expected to be less than 6 months; and
- The amount to be exempted does not exceed 100% of the Federal Poverty Level (\$958 in 2013-2014)

#### Overpayment (OP) recovery / waiver

Overpayments are typically caused by delayed or lack of reporting. Follow [Rep Payee guidelines on reporting](#).

Use form [SSA-632](#) to request a waiver of overpayment (OP) or Change in Repayment Rate

“Waiver” of overpayments are typically approved when:

--Total amount is less than \$1000;

--The beneficiary and/or the Representative Payee were without fault in causing the overpayment and recovery of the OP leaves the individual without funds for basic needs;

The rate of recovery can be lowered when the amount of recovery would result in the client having insufficient funds to meet basic needs. Per SSI policy (SI 02220.017): the recovery rate can be less than 10% “when the individual could not meet ordinary and necessary living expenses at a higher rate. NOTE: The rate of recovery can never be less than \$10.00.”

#### Change in Representative Payee (Rep Payee)

Changes in Rep Payee can often result in the delay of the monthly check – planning ahead and following these guidelines are key to avoiding / reducing delays:

- Application to become Rep Payee is made using form SSA-11 and can be completed prior to a person moving.
- If possible, file before the 15<sup>th</sup> of the month to avoid the next check going to the former payee.

When there is a change in Representative Payee, Social security notifies the former payee to return to SSA any money saved for the beneficiary *unless the payee made other plans with SSA for handling it*. The new payee can request SSA to direct the former payee to forward any conserved funds to the successor payee. This eliminates the delay caused by funds being returned to Treasury.

Beneficiaries must receive 15 day advance notice of the proposed payee change. To provide this; the beneficiary can visit the SS office with the Rep Payee applicant, call the SS office after a notice has been issued, or sign and send the notice statement to the SS office.

#### Conserved funds after death and benefits in final month of life

If the beneficiary dies, any saved benefits belong to his or her estate. Funds held after death must be given to the legal representative of the estate or otherwise handled according to state law (see [RCW](#) and [WAC](#)).

SS checks are paid in the month after the month of entitlement. SS benefits are not payable for the month of death, even if the recipient dies on the last day of the month. Any check received for the month of death or later must be returned.

SSI payments are made in the same month as entitlement. Therefore, SSI is payable for the month of death. Any SSI payments received after the month of death must be returned to SSA.