



DIVISION OF DEVELOPMENTAL DISABILITIES  
Olympia, Washington

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TITLE: STATE SUPPLEMENTARY PAYMENT (SSP) POLICY 16.01  
PROGRAM - OVERPAYMENTS

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**Authority:** Engrossed Senate Substitute Bill (ESSB) 6387  
WAC 388-827-0015, WAC 388-827-400 through 420 and WAC 388-845-0115

**Reference:** State Supplementary Payment (SSP) Resource Manual, Section III  
DSHS Administrative Policy 10.02, *Vendor/Provider Overpayment and Debt Policy*

### **BACKGROUND**

The Legislature directed the Division of Developmental Disabilities (DDD) to begin paying State Supplementary Payments (SSP) to specific clients of DDD in Fiscal Year 2003. Engrossed Substitute Senate Bill (ESSB) 6387 states:

“New funding for family support and transition along with portions of existing funding for these programs shall be provided as supplemental security income (SSI) state supplemental payments. The Legislature finds that providing cash assistance to individuals and families needing these supports promotes self-determination and independence. It is the intent of the Legislature that the department shall comply with Federal requirements to maintain aggregate funding for SSI state supplemental payments while promoting self-determination and independence for persons with developmental disabilities...”

DDD began the administration of the SSP program in August 2002.

### **PURPOSE**

This policy provides guidelines for the establishment of SSP overpayments.

### **SCOPE**

This policy applies to the administration of the SSP to individuals in need of certain state-only, funded DDD services, including family support and residential services.

### **DEFINITIONS**

**Liability** means the responsibility to repay to the Department of Social and Health Services (DSHS) the amount of an overpayment.

**Overpayment** means any SSP paid that is more than the amount the individual was eligible to receive.

### **POLICY**

- A. DDD will establish overpayments for the receipt of SSP when the client was not eligible to receive the SSP.
- B. No overpayment occurred if an exception to rule (ETR) is approved to change the funding source from SSP to another state paid funding source. The ETR must be approved to replace the SSP funded service in any month that SSP was issued to a client when he or she was not eligible to receive it.

### **PROCEDURES**

A. Identify if an overpayment occurred

An overpayment can occur for any of the following reasons:

- 1. An individual was not eligible for and did not receive a SSI cash payment in the month in which the SSP was issued;
- 2. The individual was not eligible for the services from DDD under [WAC 388-827-0115](#) in the month in which the SSP was issued;
- 3. The individual received more SSP than eligible to receive; or
- 4. The individual's assessed need changed.

B. Determine if the overpayment should be established

- 1. Review the reason for the overpayment.

- a. If the overpayment occurred because the individual was not eligible for and did not receive an SSI cash payment in the month in which the SSP was issued, determine if the individual may have been eligible under another state-only funding source.
  - b. If the individual may have been eligible under another state-only funding source, initiate an ETR to change the funding source from SSP to another state-only funding source. The ETR must be written to include funding for every month the client received a SSP payment and was not eligible for SSP; otherwise an overpayment will need to be processed.  
  
Example: A client loses SSI eligibility in March. The case resource manager (CRM) or social worker terminates SSP payments in June when she/he learns that the client is no longer receiving a SSI or Disabled Adult Child (DAC) cash payment. The CRM or social worker then writes an ETR to replace SSP funding with Individual and Family Services Program (IFSP) funding. The ETR should be written from March forward when the client first lost SSI or DAC funding to replace the SSP funding that was authorized erroneously.
  - c. If the ETR is approved, no overpayment should be established. DDD Central Office staff will initiate a journal voucher to transfer the SSP funds that were erroneously paid to another state-only funding source.
  - d. If the ETR is denied, an overpayment has occurred.
  - e. DDD Central Office staff will notify the field of the decision regarding the ETR.
2. Determine liability for repayment if the ETR has been denied and an overpayment has occurred. Liability may rest with the individual, the representative payee or both, in accordance with [WAC 388-827-0420](#).
  3. If the ETR has been denied and an overpayment has occurred, establish the overpayment in accordance with Section III of the SSP Resource Manual.

**EXCEPTIONS**

None

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**SUPERSESSION**

DDD Policy 16.01  
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Approved: /s/ Linda Rolfe Date: February 1, 2008  
Director, Division of Developmental Disabilities