

COMMON QUESTIONS REGARDING SSI REIMBURSEMENT

- 1) There are two different authorization forms. Does it matter which form is used?

Yes. The initial payment agreement is to be signed by the applicants who have not received SSI payments before, or by those whose benefits have been terminated for at least one year. (A client had been incarcerated for four years. Upon release, he would need to file again, this time using an initial payment agreement). The initial post eligibility agreement is to be used if an applicant had received SSI previously which has been suspended or has been terminated for less than one year.

If the incorrect form is received by the Social Security Administration, it is returned to the Department of Human Services. At that time, the process has to be initiated again at your office with the original agreement voided.

- 2) The authorization forms are in quadruplicate. Does it matter who gets which copy?

No. The Department would prefer to have the original signature. However, it doesn't matter. It only matters that the copies go to DHS, your local Social Security Administration office, the client and the clients' file.

- 3) What is the purpose of the vendor form?

In order for the state to issue a check to the client for his share of the retroactive check, the receiver (vendor) must be known to our payment system. In these cases, our clients become the vendor and it is the client's information that is needed—current **mailing** address, social security number and client's signature. Your signature is not necessary on the vendor form. Clients must be alerted to report all changes of address and be aware that a new vendor form must be filled out and signed each time their mailing address changes. If a client's mailing address and actual residence address differ, we are only concerned with the mailing address on the vendor form. Do not put both on the vendor form. (Applicant's legal residence line at the bottom of the authorization forms is to alert us of the municipality involved in cases where the mailing address lists a different locality.)

If the client is filling out a vendor form for the first time, only use the section on the left side of the form. If it is a change of address after a first form was signed, put the new address on the left and the old address (listed on previous vendor form) on the right side.

- 4) What if I fail to send in a vendor form with the authorization?

If we receive an authorization form without a vendor form, we will return the authorization form and request the vendor form to be sent in along with the authorization. It is imperative that the client be on our vendor system. Failure on the Department's part to issue the client his share of the retroactive check within ten working days after receipt of the check may result in the discontinuation of the process.

To keep this process in place, the receipt of the vendor form, with client information and signature, is as important as the authorization form itself.

- 5) Can I use one authorization form and, one vendor form if I have two people applying (usually a husband and wife)?

No. This is a situation where you will have to prorate. Each applicant may receive their own SSI retroactive payment and we can recoup from each of them. An example would be: Mr. and Mrs. Jones each apply for SSI and receive General Assistance while waiting for their retroactive payments. They receive a total of \$2,140 in assistance which includes a prescription for Mrs. Jones which cost \$140. When Mrs. Jones gets her SSI retroactive payment we can recoup \$1,140. When Mr. Jones receives his SSI retroactive payment we can recoup \$1,000.

- 6) If a child is applying, who signs the forms?

Keep in mind the purpose of the forms. The authorization form would need parent name (Mary Smith) for applicant (John Smith, Jr. - Son) in the address. The social security number would be that of the son. The parent would need to sign the form. The vendor form is for DHS to issue a check. All information (name, address and social security number) would need to be that of the vendor, in this case, the parent who will be receiving the check for the child.

- 7) What if there is a payee?

Same process as above. However, there is nothing in the regulations which would require us to issue the check to the payee. If you know a payee is involved, please follow steps outlined in answer #6. If a payee is not known to you or DHS, we will be alerted by the letter from the Social Security Administration near the time of the receipt of the retroactive payment. If, due to time constraints, we cannot get the payee to fill out a vendor form, we have a system in place whereby the check to the client is pulled prior to mailing and inserted into an envelope addressed to the payee.

8) Should I have all applicants sign the authorizations forms?

No. Only those applicants who are being required to apply for SSI or those who are currently pending an SSI eligibility determination should be signing an authorization.

9) What if an applicant, who is required to sign an authorization, refuses to do so?

The applicant who is being required to apply for SSI or who has a pending SSI application and who refuses to sign an authorization to allow the Department to receive a retroactive check and deduct the state/local share for the direct costs of General Assistance is to be **denied** General Assistance.

10) If my client is already on SSI, does he have to sign an authorization?

No. The authorization forms are only to deduct monies from the retroactive SSI payment. This in no way involves monthly payments or individuals who are currently receiving SSI. In these situations, the amount of SSI being received is considered in determining eligibility for GA. If your client's SSI monthly payments are suspended or terminated, he should be required to appeal, or file again, and then he would need to sign a post eligible authorization to capture monies from his potential future lump sum.

11) Should I wait to send the authorization form in when I have a significant amount or when sending in my monthly/quarterly claims for reimbursement?

No. Please send a copy to SSA and DHS immediately to start the process. The form needs to be received at the Social Security Office within 30 days of being signed. If the signed authorization is not received within 30 days, it is not binding on the client. A new one has to be signed and the municipality and the State cannot recoup any money for the assistance given before the 2nd form is signed. Once SSA gets it, we also need it to get names/addresses/soc security #s in place. Some applications for SSI are expedited.

12) How important are reports on changes of address?

Very important. Once the authorization is received by Social Security Administration, the retroactive check, if any, is sent to DHS unless the authorization is voided. We can only issue the client his share at the address on the vendor system. These checks cannot be forwarded by law. We've already had clients waiting up to two weeks before we could have the check returned, a new vendor form updated and check reissued.

13) What if clients move to a different municipality?

The client must be told to report all changes of address and to fill out new vendor forms. We will contact each municipality and reimburse each, if appropriate. For new applicants in your municipality, please ask if an authorization form has been signed. If so, a new vendor form must be filled out and signed by the client. A new authorization form is not required if the applicant has signed an authorization form in another municipality, however, it would alert the Department that the applicant has also received General Assistance in your municipality.

- 14) How can I get more forms?

Forms are available from the Department using the same number you call to request your monthly expenditure and reimbursement forms and statistical reports 1-800-442-6003 or 287-3736. Please be specific as to whether you need the initial payment forms or the initial post eligibility payment forms.

- 15) Once we are contacted by DHS and report the amount of assistance granted during the applicable time period, do we have any more responsibility?

Yes. DHS would like you to follow up the conversation with a written notification of the amount for our files. The written notification needs to include the amount of assistance granted and the information about workfare performed. Please use the form provided to report the assistance granted and workfare performed. The Department tries not to make mistakes when processing the reimbursement checks and if every municipality uses the same form it will help us to do our job more accurately.

- 16) Do we deduct the amount of workfare performed from the amount of assistance granted to get a net amount of General Assistance to be deducted from the retroactive check?

Yes. Due to last year's court decision, the Department changed the sections of policy that deal with workfare. If an applicant performs workfare for the municipality while receiving General Assistance and waiting for an SSI retroactive payment, the municipality needs to keep track of the number of hours of workfare performed. There has to be a monetary value of at least minimum wage assigned to each hour of workfare performed. The value of the workfare performed by the SSI recipient during the applicable time period will be subtracted from the General Assistance received when determining the amount that the client must reimburse the municipality and the state.

- 17) If the individual receiving the SSI retroactive payment is part of a household which received General Assistance, how much of the assistance that was given is deducted from the SSI retroactive payment?

We can deduct only the prorated portion of the benefit that was for the SSI recipient. In other words, if the individual is part of a four person household, only one-fourth of the General Assistance benefit is reported for the reimbursement. The SSI is for that individual only. That individual signed the authorization form. If some of the assistance is specifically for the SSI recipient, then you would add that amount to the prorated amount. An example would be: Mr. Smith is in a household of four. The household received \$400 for rent in April and \$78 for a prescription that was for Mr. Smith. We could deduct \$178 from Mr. Smith's retroactive payment.

- 18) How does the Department calculate how much of the recipient's SSI retroactive payment is available to reimburse the Department and municipality?

The best way to explain the calculation process is to include an example from the training manual put out by the Social Security Administration. This manual is used by the Department to administer the SSI Interim Assistance Reimbursement program.

- 19) When the total amount is known, how do we determine what amount is our share and what amount belongs to DHS?

For each month that payment for this individual was made, a claim was submitted to the Department for reimbursement. For each of these monthly payments, you must figure the level of reimbursement you received from the Department. Monthly percentages would only fluctuate if your levels have changed from 50% to 90% or 10% to 100% (90% and 10%) during the particular time period involved.

- 20) How long does it take to issue a check to the client and to the municipality once it is received by DHS and DHS' share is deducted?

For any given week, barring unforeseen circumstances, all checks are processed on Friday morning. The checks for the municipality and the client are processed at the same time. Checks are then cut by the following Wednesday and mailed either Wednesday or Thursday. (If it is a week with a holiday, checks are mailed one to two days later.)

- 21) If SSA needs to locate a client for an additional review and the client cannot be located, have we lost our money from reimbursement?

Not necessarily. According to SSA officials in Boston, if all medical information is received and a determination of eligibility can be made, we will still receive the retroactive SSI check, regardless whether or not the client can be located for an additional contact (which is not always the case). We would deduct our portion and the municipal portion and send the balance to the last address known on our vendor file. The check would most likely be returned to us.

If SSA needs more information, and a determination cannot be made prior to contact with the applicant, no assistance can be granted. If there is contact within 60 days, the case is reactivated. SSA may also grant good cause if contact is made at a later date. Bottom line is – unless an eligibility determination can be made, no SSI payments can be released.

22) What about attorney's fees?

We've had numerous phone conversations with various attorneys who are very upset that we are not allowing their fees to be deducted from the lump sum prior to our deducting the amount of direct costs of General Assistance paid on behalf of the client. We have no obligation to do so, nor does the Social Security Administration. The Department of Human Services does allocate funds to Pine Tree Legal Assistance, Inc. for the purpose of assisting SSI applicants in their endeavors to receive SSI.

23) The authorization is for the SSI retroactive check only. I have a client who, with the advice of his attorney, withdrew her application for SSI at the time she was granted both SSA and SSI. This meant that no SSI lump sum would be processed and, therefore, no reimbursement for the state or the municipality. The attorney, however, is able to collect his fee from the client who would get a full retroactive SSA check. Is this legal?

Yes, this practice is now happening nationwide, especially in Massachusetts. For those persons who have applied for both SSA and SSI, (there shouldn't be very many) and whose eligibility is determined at the same time (even fewer), withdrawal from SSI can take place. When this is done at the local SSA office, the only thing the SSA officials can do is alert the recipient that they will lose all SSI payments due them and will most likely lose medical benefits. They have no authority to do more. They will not be able to alert us or you of the withdrawal. The withdrawals are coded as denials and, therefore, will not be known to our system other than as denials.

Clients are supposed to inform you of their status for the potential programs; however, if the client is not "current", you'll not be able to ask him at an application interview whether or not he's been granted. If a

withdrawal is made prior to a check being issued, the Department is not going to know.

If it becomes known that a client refuses the SSI resources, a disqualification is to take place until a reapplication is made. Of course, in most, if not all cases, medical determinations have been made and therefore any retroactive check should be small because the time period involved should be short.

- 24) Do I report the amount of SSI reimbursement my municipality received from a client **via the state** on the statistical form (099)?

No

They are two separate processes. Keep them separate.

- 25) Does the client's portion of the lump sum fall under the lump sum provision of our ordinance?

Yes. That portion must be prorated and accounted for in the same way as any other lump sum income.

- 26) If the Social Security Administration sends the Retroactive payment directly to the client instead of to the Department, is there anything that can be done to recoup the money owed the municipality and the State?

Yes. The municipality may recover the amount expended for the support of the client while the client was waiting for the SSI Retroactive payment in a civil action (22 MRSA sect.4318). The client is now informed of this when the Authorization form is signed.

5/7/99
CB/cjc

EXAMPLE 4 MONTHS OF GA PAYMENTS OUTSIDE THE INTERIM PERIOD

Facts

- 3/1/89, Dan Cook signs an IAR authorization at the State welfare office. He begins receiving interim assistance (IA) in January 1989. Mr. Cook receives \$300, the full [A amount payable for a month.
- 3/3/89, Mr. Cook applies for SSI benefits.

- 3/6/89, FO receives Mr. Cook's authorization.
- 8/17/89, Mr. Cook is determined eligible for SSI payments as of 3/1/89.
- 6/89, Mr. Cook has too much income, and is not eligible for an SSI payment for that month.
- 9/7/89, State agency receives a \$1,672.00 retroactive check for Mr. Cook with a notice containing the following breakdown for the retroactive check:

3/1/89 - 5/31/89 - \$368 per month
 7/1/89 - 8/31/89 - \$1 00 per month
 9/1/89 - 9/30/89 - \$368

1/89 through 9/89, the State paid Mr. Cook a total of \$2,100 in IA.

State Recoupment of Reimbursable Interim Assistance

- The State can be reimbursed \$1,200 as follows:

Month	IA Payment ₁	SSI Payment	Amount State Could Recoup ₂	Amount of SSI Check Available for Recoupment
JAN	\$ 300.00	\$ 0.00	\$ 0.00	\$ 0.00
FEB	300.00	0.00	0.00	0.00
MAR	300.00	368.00	300.00	368.00
APR	0.00	368.00	0.00	0.00
MAY	300.00	368.00	300.00	368.00
JUNE	300.00	0.00	0.00	0.00
JULY	300.00	100.00	300.00	100.00
AUG	0.00	100.00	0.00	0.00
SEPT	300.00	368.00	300.00	368.00
	\$2,100.00	\$1,672.00	\$1,200.00	\$1,204.00

₁This column represents the IA payments made for a particular month.

₂This column represents the total amount of IAR the State could recoup if the amount of the SSI check available for recoupment is equal to or greater than this amount.

EXAMPLE 4 (cont.)

- The State can recoup \$1,200, because the amount of the SSI check available for recoupment is \$1,204.
- Do not recoup any money for January and February since Mr. Cook did not become eligible for SSI until March 1, 1989.
- Do not recoup any money for April, June and August since IA and SSI were not both paid to Mr. Cook for these months.
- Send Mr. Cook the excess amount of \$472 (\$1,672 - \$1,200).