Laurie: I'm a subject matter. I am a subject matter expert at the ABLE National Resource Center, and I am a financial empowerment manager at National Disability Institute, or NDI, the ABLE National Resource Center's parent organization. NDI is the first national organization committed exclusively to championing economic empowerment, financial education, asset development, and financial stability for all people who have a disability. We are celebrating our 20-year history of working with partners across the United States to build capacity, create systems change, test innovative approaches, and lead research to promote financial empowerment for all people who have a disability. NDI has the pleasure of working closely with the UT Health San Antonio's Department of Psychiatry and Behavioral Sciences to develop this seven-part financial wellness series. We have collaborated with subject matter experts from various parts of the country, including fellow Texans, to bring you a variety of topics that will build upon your knowledge to promote financial wellness and empowerment for yourself, your loved ones, and those whom you provide support services to. We have completed two sessions to date, the first on basic financial management skills, and the second on supported decision making and recordings are available.

Today, we will present a session on Social Security Administration's representative payee options. Your subject matter expert is Jason Garza, who is a public affairs specialist based in downtown San Antonio, Texas. He is South Texas, born and raised, having studied at UTSA and Texas A&M at Corpus Christi. Jason has served the public as an employee of the Social Security Administration for 15 years. He first started on the front lines, and most recently, he is a technical expert. This has given him experience in all things Social Security Administration and has allowed him to experience everything from customer service facing roles, to claims processing, to supervision and training. Uh, today, as questions come to mind, please keep your questions for the q and a at the end of today's, uh, presentation. And Jason, uh, we really appreciate and we look forward to learning from your expertise.

Jason: Thank you. Thank you so much, Lauren. Thank you all for having me. Um, so I am located here in San Antonio. I'm happy to be able to provide this information to you today. Um, I'm gonna go ahead and shut off my camera as we get started. And yes, we are going to touch on representative payee best practices. Um, as you have questions as they arise, please feel free to list them in the q and a box. Um, I will not address questions though until the end. Um, it's a little easier to get to that information, um, and really focus on that. I do have, uh, frequently asked questions toward the end of the presentation, so it may address some of your questions then, uh, but feel free, if you have anything, please ask. And then if any other type of questions come up, again, you know, I have a good bit of experience with the agency. Um, SSI has been my specialty for the past probably eight years. Um, so please feel free, uh, to ask any questions you may have.

So, without further ado, we've got representative payee best practices here.

So the first, and what I say is the most important, uh, aspect of being a representative payee, whether it's at the individual level or as an organization, is maintaining that line of communication. Now, I do understand right now that can be a little tricky, um, but I'm hoping to kind of clear some of that up, establish some lines, and, uh, uh, also provide my information if any of these lines of communication become blocked or if you're unable to resolve some issues. That's also my role with the agency, uh, to kind of solve these problems. So I will provide my information, uh, so that we can make sure all of these lines stay open. So, on top of that, understanding your reporting responsibilities, especially with the Supplemental Security Income program, uh, very, very important to know how and what to report to us.

Now, again, working with your office, with your local Social Security office, many organizations create, uh, specific reporting form that can be very, very useful. And I'm gonna show you an example of that here in a minute. Um, but this form is perfect. One for keeping record, you know, a fax record of what you have reported. If in the future information maybe was not updated, or that record was, was changed, uh, for some reason, you have a record of what you've sent. You know exactly the information that was provided. And then you can provide, uh, follow up and ask for, for more information if you need it. So it's, it's very useful to have this reporting form, again, whether you're in an organizational payee or whether you're an individual helping somebody else, uh, serving as representative payee, uh, this form and something like this is very, very useful.

So the name of the resident, if you are a, a facility, uh, name of the beneficiary, name of claimant, you know, something to that effect as long as you're giving us that information. Social security number, date of birth, um, if you're a facility, whether the person has come into, um, you know, admission date, discharge date, address, um, and then maybe just a summary of things. It doesn't have to be this detailed of course, uh, but this is just an example of, of the reporting forms that you can create or you can provide that will help to expedite any changes when you're reporting them to Social Security.

Now, again, this is just another example. Same type of information, just a little different format. Different organizations create their own, kind of based on what your needs are. You may not have to get this detailed. You, you may not be a facility dealing with admissions or discharges. You know, it can be very simple. But, but the basics that we need, name social, uh, nature of the issue that you're trying to resolve, and good contact information, you know, good phone number, um, is, is vital, uh, so that we can contact you and or the claimant, uh, so that we can make sure updates happen timely.

Now, again, it's often asked, what kind of things do I need to report as a representative payee? Okay?

Um, and we kinda have a breakdown. The common, uh, the common changes, a major one, you don't know where a beneficiary is. Let's say they've, they've, uh, left your facility or left your residence, whatever the case is, this is a big one. If you don't know where the beneficiary is, please let us know. Um, any kind of marriage or divorce, this can change eligibility for social security benefits, um, especially when we're dealing with, again, the SSI program. Uh, we're looking at numerous factors, marriage and divorce being one of the major ones. We're looking at income and resources. Um, and I'll give you that list here in a bit as far as the SSA, SSI eligibility factors. But again, if something has changed, let's say, if the claim or beneficiary maybe no longer needs a payee, uh, sometimes these situations are temporary, sometimes conditions can improve. If that's the case, of course, let us know. We can get that change facilitated on allowing the individual, uh, to come in, set up an appointment, go through that interview process to receive benefits directly. Um, that's, that's always the preference of the agency to pay an individual directly, but we all know that's, that's not always a, that's not always an option. So, so that's where, where you all come in.

Now, if there's an address change, that's very important as well. Again, especially with the SSI program, um, if there's a, a shift in how the household is composed, um, it's what we refer to as a living arrangement. So if more individuals move into the household, if, if individuals move out of the household, if there's a change in costs, if there's a change in the ratio of how payments are made, um, all of these can affect the social security. The SSI benefit. Work activity is one of the least reported items. Um, it's one of the main factors when we're looking at overpayments. Um, so if we know when a claimant or beneficiary starts working or stops working, we can make sure that payments are made correctly. Um, with SSI, specifically, the work activity will affect benefits generally two months, uh, down the road. So any wages earned in May will affect July's payment. So, as you can see, these things are, are time sensitive, um, and especially with the SSI program, uh, can change from month to month.

Um, so there are specific ways, um, I will, you know, say it right now the online options are excellent for reporting these start and stoppage of work activity, uh, for reporting wages. So the, my Social Security account, uh, we have an app for your cell phone. Uh, there's a specific telephone number for reporting wages. So multiple ways to report that information. And it is also important to keep, keep track of all of this information. So keeping records, um, keeping a ledger, um, that way you are protected. One, and, and two, you know, you, you can easily keep track of all of this information, both the benefit income and then the expenditures, uh, for whatever living expenses, bills, um, it makes it much easier to track resource levels, you know, savings amounts, um, amounts that are put into maybe an able account or a trust. Uh, so keeping really good records, um, is, is really, really important, especially if you're, if you're helping multiple individuals, if you have a large caseload, um, that you're, that you're serving as representative payee, always really important to, to keep a log and keep those accurate records.

Now, um, incarceration, of course, is, is very important that we know, uh, for the different programs. So, social security, disability insurance, the, the social security side of it, or SSI, the rules are a little bit different, but if you let us know, uh, if an individual is incarcerated, we can guide you and we can let you know whether or not that will affect the benefit, uh, for that month or what requirements that we have as far as documentation. Um, now this one's also important for, for eligibility to additional benefits. So if a claimant's parents, uh, file for social Security benefits or have passed away, uh, this can potentially lead to what's called a disabled adult child benefit. So if that individual is found to be disabled before the age of 22, uh, they can use their parents' credits to be able to file for benefits. So, um, like I said, this is referred to as a childhood disability or a disabled adult child claim. Okay, really important that you let us know. And then any kind of admission to a hospital or nursing facility that's expected to last at least 30 days. Um, and we're looking at calendar months here, uh, especially for the SSI beneficiaries, we really need to know that because that does affect payment.

Alright, now, resources, uh, are, are really, really important. I touched on this a little earlier, but keeping track of savings, um, items that the individual possibly owns, you know, bank accounts, trusts, other investments, property, um, multiple vehicles, all of these things can count as resources for the SSI program. So it's really important that, that you have record of these. Um, sometimes, you know, it's, it's just inevitable. Maybe you never knew about them as the representative payee, there's only so much you can do. But as best as possible, uh, keep track of these items, especially savings. Um, a lot of times, you know, especially with the SSI program, the beneficiaries may not have a lot of these items or, or any of them. Uh, but when we're dealing with the SSI monthly payment, um, and especially back pay amounts, um, those can be excluded from this resource counting for a certain amount of time, but that timeframe does expire. So keeping track of those accounts, keeping track of those balances, uh, is really important for ongoing eligibility.

And again, making sure which resources and making sure you understand the resource definition, what's accountable, how long things are excluded, um, and when those resources are approaching, that $2,000 resource limit, very, very, very important.

Now, you know, this is all going to be different depending on who you're helping to, to manage benefits for, right? But, but developing some sort of procedures and guidelines for your specific organization or for, you know, if you're helping an individual, if this is a one-on-one situation, still kind of developing a set of rules for yourself on how you're going to manage certain things, kind of, of your own best practices, um, is going to help things in the future. And, and most certainly, if you're managing a large amount of claimants, um, individuals who are working with them, perhaps employees of your organization will really want to follow these and make sure that everything is uniform that you're managing funds in, in the same way across the organization.

And then, again, this is just suggestions, but, you know, separating certain duties for certain actions. For example, someone is the record keeper. Someone is in charge of monthly expenditures, um, different roles. Separating duties, uh, does seem to help when, when managing especially large amounts of, of beneficiaries each month.

Um, oversight of the accounting, of course, is, is very important. Um, again, that falls into your, your best practices, but just making sure your monthly accounts line up, um, making sure that if any of your documents need counter signatures, multiple signatures, um, you're following those and keeping track of those requirements. Uh, maybe setting something up as far as an internal type of, of audit, as well as a periodic external audit that'll keep all these, uh, keep all these benefits and expenditures, uh, aligned and make sure they're following social security's guidelines.

Again, keeping documentation. Um, it seems like an easy tip here, but, but you'd be surprised how many individuals, uh, we encounter that just don't really have any kind of, of proof or record of what the funds were spent on. And when we're dealing with individuals, let's say a parent for a child, maybe that's understand, understandable, right? They're, they're paying for monthly expenses, um, rent, utilities, child's food and clothing, school expenses, that's fine. But when you get to a large scale operation and you're helping out individuals, uh, multiple beneficiaries, you, you must keep this documentation one just to keep it straight every month. But two, we are going to ask for accounting every so often. Um, so if you have these records ahead of time, you're not having to dig, you're not having to recall what things have been, uh, what the funds have been spent on, um, and, and you have that record. Um, so two years in the past plus current year, generally, that's, that's going to be your best practice. Uh, whenever we send out those accounting forms, again, they are periodic, uh, but for certain individuals, certain organizations, those accounting forms are sent out every year. So just keep track of these things.

Of course, our website has a wealth of information. Uh, I did want to go through and walk through the links to show where these resources can be found on our website, because if you haven't been there already, um, you know, it can take a little bit of navigation to get to, to the right places within the website.

Now, this is our website. This is our homepage, uh, pretty straightforward there. Now, once you visit this website, uh, if you scroll all the way to the bottom of the page, you'll see some links, and there's one link for representatives, as you can see here.

Once you click that, again, another list of different representatives where we have different categories of publications and training material. But as you can see here, as representative payee has its own separate link, you click that, and again, you can see two separate categories.

We're gonna go through the organizational payee information here, but as you can see, just below it, uh, there's a link for individual payees. That one's a little more straightforward. It links you to a PDF guide as far as the application process, the selection process, you know, who, uh, is in higher priority, uh, preference for being selected as a representative payee. Um, but with the organizational payee, a few more options. And I'm gonna show you that here.

So once you click on that link, organizational payee, it opens up to how to become a payee training, a PDF guide in both English and Spanish. Um, so great resources for walking you through the entire process, from start to finish before you're selected as a representative payee. And then after, as far as once a claimant is receiving benefits, and you're managing those benefits for them.

Um, again, if we start over at this organizational pay eLink, this training for organizational payee, we'll send you to this next page.

It's got lesson plans. Uh, there's a guide, and then, uh, an entire PowerPoint presentation on best tips, um, how to manage funds. Um, all of that is here again on our website.

Now, our publications link, again, from the homepage scrolling all the way to the bottom of the page, you'll see this publications link.

And these two are the main sources of information, uh, if you're looking at becoming a payee or if you need some help. Um, so this guide for representative payees. And then when a representative payee manages your money, those are the top two PDF publications. You can request these as well from this publication page. So you can request, um, actual paper publication to be sent to you. Um, or if you need help with that, again, I'll, I'll be a great resource for this. If you need information, please reach out to me and we can, we can go through that. Um, if we need specifics as far as, uh, tips or, or guidelines for the application process, um, that, that's something I can help out with too. So please, again, I'll, I'll list my contact information and feel free to reach out.

Now, this, I think is, is particularly helpful. Uh, we've got some frequently asked questions.

So, um, how do we decide who's the best payee for the claimant? So we have a preference list. It's, it's written in policy, uh, that we use as a guide for who will be selected as a representative payee. Now, most of the time, as you can imagine, we don't have competing parties, you know, bidding, bidding to be representative payee. It is, it is, uh, a difficult job. Um, so again, uh, this is, this is the preference list.

So as you can see here, it's spelled out very clearly, um, who is preferred. Um, and so if there were ever an issue or question, uh, with multiple applications for an individual, this is how we would select the representative payee. Uh, there's also a list for children, very similar, uh, but we, we chose just to list this preference list for adults.

Now, can I collect a fee for serving as a representative payee? Uh, generally, no. This is a, a process. So you must be a qualified organizational payee must be approved in writing to collect a fee. Okay? So, uh, as far as individual representative payees, you're not allowed to charge a fee for services.

Um, and I'm gonna go through this next screen. We'll show you kind of the process for collecting a fee. I see, Diana, you have a question. Um, I will check on that here in a bit. Once we get through these, uh, we're nearly done with these frequently asked questions, so, so I'll be able to answer your question.

So, um, we can allow certain organizations, as you can see here, to collect a fee, uh, from that monthly payment. Uh, but again, it's an application process to be allowed to, uh, collect a fee.

And we've got the form here. So it's a form SSA 445. Uh, that's the actual application, uh, to become an organization that collects a fee. Um, and you have to meet these requirements. So community-based nonprofit organization must be bonded and licensed in the state where you're serving. Um, you must regularly serve as payee for at least five beneficiaries. It can't be a creditor of the beneficiary, so they can't owe you money generally. Um, of course, there are some exceptions. And then we must go through the review process, and we must authorize your organization in writing. So we'll send you a letter that says, yes, you have been approved to collect the fee for services. Um, and, and that is a formal process, again.

So what should I do if I receive funds for a beneficiary after they have left my care, or I am no longer a payee? So again, very, very common situation. Uh, these are referred to as conserved funds. Uh, and these must be returned to us. So return to social security, uh, it's much easier. And again, it, it is the policy of the agency that you return the funds to us, we will then send those funds to the next representative payee or to the claimant if, if the individual is now, uh, deemed capable of managing their own funds. Okay?

And then what do I do with conserved funds if there's a court order that tells me I must give them to the beneficiary or the new payee? Well, in short, those court orders do not supersede federal law. Okay? So our policy, again, and, and written into, uh, legally written into our policies is that those funds must be returned to us. Uh, those court orders cannot dictate how we manage those funds. So they'll be returned to us, and we will follow Social Security administration procedures, which, like I mentioned, are to get them to the claimant or to the new representative payee.

Um, now I'm the payee for a beneficiary who lives in a nursing facility. Um, can I send the nursing home the beneficiary's entire social security check? Um, and this is kind of serving as a pass through kind of the terminology we use. If you are a representative payee, keep in mind that you are responsible for how these funds are spent. Um, if you're passing them along to another entity, in this case a nursing facility, you are still responsible for how those funds are spent. So if they are not crediting the claimant's account correctly, or not providing them with the excess funds for, for spending money, whatever the case is, um, you are still liable for that because you are on record as the representative payee. So just, just make sure you're directing that. Um, you know, sometimes individual payee, we see this issue where an individual will, will serve as a representative payee, but they're simply turning the check over and just saying, you know, giving it to the claimant, letting them manage their own funds. In that situation, it seems there's no need for a representative payee. You know, if, if the claimant is responsible enough or, you know, has the cognitive ability to manage their own funds, then we don't need to have a representative payee on record. Uh, we don't need that, that paper trail and that separate liability. Um, so we would go ahead in that situation and pay the claimant, uh, directly. Um, if, if we find, find they are capable.

Let's see, the beneficiary wants to spend money on things that do not meet my approval, what is my responsibility? Okay? So, so that's, that's the entire purpose of the representative payee program, right, is making sure that needs are met first. Um, we see it many times, many, many, many times where a claimant is alleging that, that their payee is misusing their funds, that they're not giving them their money. But, but as it turns out, in many situations, not all, of course, um, it's because the needs are met first and, and the wants are not being met. So this is part of the, the capability determination on why an individual may have a representative payee, uh, because they may not be able to make that distinction between what our needs and what are not. So, so that's your primary responsibility, making sure needs are met every month. Um, it may not always result in a happy beneficiary, you know, especially for this example here, if an individual has a history of drug or alcohol abuse, um, you know, they're, they're some touchy situations, but you're doing your job if you're making sure that the needs are met, food, housing, clothing, you know, that's, that's what the beneficiary needs.

Now, how, how often do I need to report to Social security on how I used benefits? So this is where that reporting will come in. Generally, it's once a year. Um, if there is some kind of allegation of misuse, uh, then it will be more often, uh, we will contact the representative payee in that situation and find out how the money is being spent. Go a little more in depth as far as a representative payee accounting. Um, so this is where records are very important. Where I say it's, it's more of a protection for you in many cases, just in case that allegation arises. You have your records to show what money has been spent on to show that money has been allocated to the right places and has been allocated to needs rather than once. Uh, but in general, once a year, social Security will send out this representative payee report so that you can report what, how funds have been spent and whether or not there are any savings. Okay?

And keep in mind, when you're, when you're reporting these savings as well, specifically for the SSI program, this is where some, some flags can be raised, because if the claimant is approaching, if you are approaching as the payee, uh, a savings amount that is getting close to that $2,000 resource limit, or, or if you've exceeded it already, you know, that could cause eligibility issues going forward. Okay? So keep track of that. Uh, keep, keep all that in mind. Um, and if you have a few more questions as far as limits on resources versus income, uh, I'll be happy to talk about that here in a little bit.

So, and that little bit is now, so let me get out of this window because I know we've had a question already. Um, I'm gonna go ahead and stop sharing on a smaller screen than usual today. So I apologize and I'll get into the questions. And if y'all have any other questions at this point, please send them my way. Let's see.

Okay. Okay. So, Diana, I know I had a question, but excellent. So I answered that question. Um, does anyone have any questions on, on this topic, um, on anything maybe related? Um, again, I know right now is communication and, and making appointments and all with the local offices can be a little bit difficult. It, it's a time of transition. Uh, there have been a lot of updates to ID requirements and certain in-person requirements. So, so things have become, uh, they're, they're a little different than they were before. So if you have any questions, please feel free, and I'm gonna go ahead and type my email address into this as well. Um, if you all have any maybe very specific questions with, you know, involving PII and the specific claimant, um, please of course, don't, don't type that information here in the chat. You can send it to my email address.

Laurie: And Jason, this is Lori, I have a question for you.

Jason: Mm-hmm. Yes.

Laurie: Do, do you see, uh, changes when a representative payee is, uh, assigned to a person under age 18? And then that person, you know, uh, is now age 18 or older to have any recommendations regarding representative payee and that person's ability to receive full benefit rate of their SSI?

Jason: That, that's a great question, and that's a, that's particularly, you know, a, a kind of sensitive time of transition, right? So as far as the process is concerned, and specifically like you mentioned with SSI at age 18, there's going to be a two-pronged review. Okay? So, uh, one of them will be the non-medical redetermination. Um, and that will evaluate all of the information where the, the person is living. Of course, if they were living with parents before, uh, the parent's income and resources is no longer accountable as of the month the person turns 18. Uh, so all of that will be reevaluated. Um, at that point they have to follow adult rules. So it's as if a person is living with, with any other, either family member or non-family member, we have to look at the total costs for the household. So rent or mortgage, um, utilities, food is no longer a factor. Um, so we're looking at that total cost, the person's share of expenses. Um, and, and that will determine the claimant that, that child now, adults, uh, monthly benefit amount. So, uh, you know, a lot of times when I, when I've gone through in the past, because I was in charge of, of those reviews for many, many, many years, um, the parent may not realize, or, or may not phrase it as they are charging their child rent, but if that SSI money has been going into kind of the family pool of money to help pay for those expenses, and that's still going to remain, you know, the situation, then, then they are contributing, they are contributing to that household, whether or not it's officially, you know, a, a lease drawn up and a, and a rent. So that's, that gets a little, you know, a little hairy, but, but generally that child is still contributing and that would mean that they are still eligible for that maximum benefit rate.

Now, the other side of that review is the medical review. So it's a continuing disability review. Essentially we're getting all the documents as if a person is filing a new claim. So we're going through the non-medical information, and then we're obtaining the full disability report because at 18 now they have to be evaluated based on the adult rules. So a complete, uh, full review medical and non-medical. Um, but, but like I said, generally if you really sit and talk to the parent, um, you know, that child is, is still paying a quote unquote rent, you know, they are paying a share of expenses. Um, so most of the time they will continue to be eligible for that maximum rate.

Laurie: Great, thanks Jason. And then, uh, another question. So is there a way, particularly if an individual is receiving foster care services.

Jason: Mm-hmm.

Laurie: And that there will be a transition to a new representative payee, is there a way to coordinate that transition?

Jason: Um, really good question. So depending, here's what I would suggest, because organizations for sure, um, will be submitting the paper application, the SSA 11, um, individuals can submit that too. So what I would suggest, if, you know, if, if there is already a plan in place, um, for that transition. Um, generally do you see, I guess just to kind of clarify that transition out of care, um, would the child then be on their own or generally are they going to another organization?

Laurie: Um, I think most often that individual's on their own.

Jason: Okay. Okay. And see that, that becomes a little tricky, right? Because then we're, we're having to deal with each specific field office and, and there may be a little bit different practices and especially now, you know, with everything having to be with, with all business, having to be conducted by appointment, um, I would suggest if a child is transitioning out and like you said, for the most part going to be on their own, I would kind of help facilitate that appointment scheduling probably three months before the, the child is transitioning out. So three months before that 18th birthday, um.

Laurie: Oh, great.

Jason: Work on scheduling because, you know, just, just looking at recent trends in, in lobby traffic and appointment scheduling and all of that, it's, it's taking, it's taking longer. You know, if just by the numbers, if everybody now needs an appointment, um, you know, we're, we're going to stretch that time for when we have available appointments, so start three months ahead of time. Um, you know, that does kind of a twofold or that helps us in kind of a twofold way. Um, we're getting that, making sure that child transitioning to adulthood is, is directed to the office one, but then we can also get them that, that, that review paperwork and get that process started as well. Um, so I say about three months before is a great time to call, set up the appointment and then we can, we can make that, uh, transition a little easier.

Laurie: Thank you, Jason. That's wonderful. And then there's a question.

Jason: You know, what, on top of that, sorry, um, I didn't mean to cut you off, but, but it kind of goes hand in hand with that topic. Uh, for children who maybe were not eligible before 18, but who are potentially eligible going forward. You know, maybe it was because of, you know, the, the foster payment plus parent income or whatever the case is. Um, those applications can be secured up to six months before that transition. So if it's an initial application that can be secured up to six months ahead of time.

Laurie: Great. Wow, thank you. And there is a question in the q and a.

Jason: Let me see. Ah, there we go. I need to scroll down a bit more. Um, so let's see, we had got talked about paying the claimant directly if they're already managing their own money, uh, because a payee is not needed. Uh, I've read that if a beneficiary requests to be their own payee, they were reviewed the claimant to see if they're even in need of SSI anymore, uh, that scares off some capable clients from asking to be their own payee. Uh, I would say that's a myth. Um, very, very different situation to whether a person can manage their funds or, you know, whether or not they're still disabled. So, so no, there's not an automatic, uh, disability review, um, if, if we're changing from a payee to direct pay. So, so no, that's not, uh, that's not a direct result there that, that that doesn't happen. Uh, okay.