

PACER's Project Launch Presents

Representative Payee Grant Program

With Minnesota Disability Law
Center/MMLA





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Supervising Attorney, Minnesota Disability Law



Strengthening protections for Social Security Beneficiaries Act

- Goal is to improve the Representative Payee Program
- Protection & Advocacy Agencies in each state to receive grant In August 2018
- Minnesota Disability Law Center is the Protection and Advocacy Agency in Minnesota with the grant



AS OF 2017 THERE ARE:

8.1 MILLION SSDI/SSI BENEFICIARIES,

5.8 MILLION REPRESENTATIVE PAYEES,

57 PROTECTION & ADVOCACY AGENCIES

WHY DO I HAVE PAYEE?

Beneficiaries are people who receive Social Security Disability(RSDI) and/or Supplemental Security Insurance(SSA)

and

SSA may have information that indicated you need help in managing your money and meeting your current needs.

WHAT DOES MY PAYEE DO FOR ME?


Your payee receives your payments on your behalf and must use the money to pay for your current needs, which include:

- housing and utilities;
- food;
- medical and dental expenses;
- personal care items;
- clothing; and

After those expenses are paid, your payee can use the rest of the money to pay any past-due bills you may have, support your dependents or provide entertainment for you. If there is money left over, your payee should save it for you.

PERSONAL NEEDS FUNDS

- For Persons in an Institution or Nursing Home the Payee must give the Beneficiary at least \$30 a month for personal needs.
- For Persons in other living facilities or living on their own, the Payee must give at least \$102 a month for personal needs to the Beneficiary. This rate increases each year.



WHAT IF I
DON'T
THINK MY
PAYEE GIVES
ME ENOUGH
MONEY?

- You and your payee should talk about how your money is being spent.
- Your payee should show you how much money you get from Social Security and how much he or she spends on your needs.
- Then you should talk with your payee about how you want to use your money.

I RECEIVED A LARGE SUM OF BACKPAY FROM SSA, WHAT SHOULD I DO?

- Sometimes Social Security benefits take a while to be approved. When this happens, your back benefits may be paid all at once in a large payment.
- If that happens, your payee must spend the money on your current needs such as rent and a security deposit, food or furnishing.
- The rest of the money can be used to pay for medical services, your education, improvements to your home or your debts.
- If your back payment is for more than one year of benefits, your benefits will be sent to you in several small payments.
- If you receive SSI, you cannot have more than \$2,000 in cash and property (other than your home and car). You must spend your back payment within six months so that your total resources are below \$2,000. If you don't you may receive more than you are supposed to and your SSI payments may stop.

WHAT TO TELL YOUR PAYEE

Be sure to tell your payee if you:

- get a job or stop working;
- move;
- get married;
- get money from another source;
- take a trip outside the United States;
- go to jail or prison;
- are admitted to a hospital;

If you or your payee fail to report any of the above actions to us, you may be paid more money than you are due. You may have to pay back any money you were not due, and your payments may stop.



WHO CAN BE A REPRESENTATIVE PAYEE?

Family Members

Professional Payee

Guardian

Parents of child

Trusted close friend

I AM A REPRESENTATIVE PAYEE, NOW WHAT?



Keep Track of all money in a separate bank account



Label the account Representative Payee for...the beneficiary name



Help the Beneficiary make choices about spending money wisely



Pay Beneficiary bills on time



Assist Beneficiary if they need help with finding housing



Make sure the Beneficiary has personal needs money they can spend however they want to!!

A white oval graphic is centered on the blue background, containing the text 'IF A PAYEE FOR A BLIND OR DISABLED CHILD'.

IF A PAYEE FOR A
BLIND OR
DISABLED CHILD

You must keep the funds in a separate “dedicated” account, and you must use the funds only for:

- Medical treatment and education or job skills training;
- Personal needs related to the child’s disability — such as therapy and rehabilitation, special equipment, and housing modifications;
- Necessary items or services related to the child’s disability, such as legal fees for the child’s benefit claim.
- You should get approval from us before spending money on the items listed above.
- You must keep a record of all money taken from this account and receipts for all items or services bought, because we’ll review these records at least once a year.
- If you knowingly use money from the dedicated account for anything other than the expenses listed above, you must repay us from your own funds.

WHAT DOES A REPRESENTATIVE PAYEE DO?

- Know the beneficiary's current day to day needs
- Know what they need for food, clothing, housing, medical bills, and personal needs
- Use their SSDI/SSI benefits money to meet these needs
- Spend carefully and save, in the best interests of the beneficiary
- Report events to SSA including if Beneficiary Working and their Income
- If an SSI beneficiary, keep bank accounts under \$2000 for an individual or \$3000 for a couple



A
REPRESENTATIVE
PAYEE IS..


- Not a Power of Attorney
- Not responsible for medical decisions
- Only responsible for SSA/SSI benefits
- Responsible if a Payee misuses benefits, they must repay the misused benefits
- Not paid a fee for services unless approved by Social Security Administration

IMPORTANT FOR THE REP PAYEE

- **The Representative Payee must report changes to SSA**
 - If Beneficiary is working,
 - How much income the beneficiary is earning
 - If the Beneficiary moved or is deceased
- SSA may review records and receipts

MINNESOTA DISABILITY LAW CENTER

Representative Payee Grant



WHAT
DOES THE
REP PAYEE
GRANT
DO?

- Reviews for Representative Payees (currently 134 in Minnesota)
- Looks at accounting procedures and Money given to pay bills and personal needs of Beneficiary

AND

- Educates Payees on their role and responsibilities
- Empowers Beneficiaries to report potential misuse or neglect

WHO GETS
REVIEWED?

Representative Payees

- The individuals, family members or organizations who manage Social Security Benefits on behalf of the beneficiary

WHAT HAPPENS IN A REVIEW?

- Reviewer looks at all the records of money received for the Beneficiary
- Reviewer looks at all the bills paid and the receipts
- Reviewer will total up money received and money spent
- Beneficiary is interviewed to find out if their needs are being met?
- Check that accounting forms sent to SSA for reporting



Call Minnesota Disability Law Center intake line
at 612-334-5970



Call Anna Solowiej at 612-746-3818



or email asolowiej@mylegalaid.org



County Case workers and Adult Protection
Social Workers



Call SSA at 1-800-772-1213 or
TTY 1-800-325-0778

HOW TO REPORT
PAYEE ISSUES?

HOW TO CHANGE A REPRESENTATIVE PAYEE



1. Beneficiary must contact Local SSA office via phone or in-person



2. Tell SSA you want a new Representative Payee



3. You can request a specific Payee



4. Can take up to two months to transfer



5. If no longer need a Payee, **MUST** get a letter from a Doctor and bring to SSA local office

QUESTIONS?



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PACER Center is here to help!



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Pacer.org/transition