

# Government Benefits and Representative Payee Services During the COVID-19 Emergency

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The Office of Developmental Programs (ODP) is offering updated guidance to stakeholders about how the Internal Revenue Service (IRS) economic impact payments (or recovery rebates), which are part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, will affect benefits individuals receive from State and Federal Government such as Medical Assistance (MA), Supplemental Nutrition Assistance Program (SNAP) and Supplemental Security Income (SSI) for individuals served by ODP. This includes the participants who are enrolled in the Consolidated, Community Living, Person/Family Directed Support or Adult Autism Waiver, individuals enrolled in the Adult Community Autism Program as well as individuals who receive base-funded services. This document has been developed to provide guidance that has been released in multiple documents in one place. **Updates are in red.**

## **1. Will individuals remain eligible for MA during the COVID-19 emergency?**

Individuals having MA coverage on March 18, 2020, should retain their MA eligibility unless they are no longer a resident of Pennsylvania, the individual requested their MA benefits be closed, the individual has passed away or the individual is incarcerated.

## **2. I receive Supplemental Security Income (SSI). Am I eligible to receive an economic impact payment?**

SSI recipients will automatically receive stimulus checks of \$1200. These funds will not count as income and will not be counted as assets for the first twelve months, as pertains to SSI and MA eligibility. However, adults who are claimed as dependents by others are not eligible for stimulus checks. Further, SSI beneficiaries with dependent children still need to use the IRS portal to receive their \$500 child credit.

## **3. How should the representative payee assist the participant in using the economic impact payment?**

The economic impact payment (payment) belongs to the Social Security or SSI participant. The representative payee should discuss the payment with the participant. If the participant wants to use the payment independently, the representative payee should provide the payment to the participant. If the participant asks the representative payee for assistance in using the payment in a specific manner or saving it, the representative payee can provide that assistance outside the role of a representative payee.

## **4. How should the provider assist the participant in using the economic impact payment?**

As stated in the question above, the economic impact payment (payment) belongs to the Social Security or SSI participant. If the participant has questions about the payment, the provider should help address those questions with the participant or help the participant reach out to the representative payee for further clarification. If the participant asks the provider for

assistance in using the payment in a specific manner, the provider should assist the participant in managing and accessing his/her finances to use the payment as desired by the participant.

**5. What responsibilities does the representative payee have in managing the participant's economic income payment?**

Under the Social Security Act, a representative payee is only responsible for managing Social Security or SSI benefits. An economic income payment is not such a benefit. A representative payee should discuss the economic income payment with the participant. If the participant wants to use the economic income payment independently, the representative payee should provide the payment to the participant.

**6. How should representative payees account for the economic impact payment when completing the annual Representative Payee Report (i.e., annual accounting form)?**

Since the economic income payment is not a Social Security or SSI benefit, the representative payee is not required to account for the economic income payment when they complete their annual accounting form.

**7. What if a participant alleges a representative payee misused the economic impact payment?**

Since the economic income payment is not a Social Security or SSI benefit, SSA does not have authority to investigate or determine whether the economic income payment has been misused. However, if SSA receives an allegation that the economic income payment was not used on behalf of the participant, SSA may decide to investigate for possible misuse of the participant's Social Security or SSI benefit payments. SSA may also determine the representative payee is no longer suitable and appoint a new representative payee.

If the provider hears of an allegation of misuse of funds, the provider must continue to report and investigate incidents as outlined in the current Incident Management Statement of Policy, 55 Pa Code Chapter 6000 Subchapter Q.

**8. How will receipt of the economic impact payment affect participant resources? Will participants be over the resource limit?**

The portion of the economic impact payments that are spent within 12 months of receipt are considered an excluded resource for MA and SSI eligibility. Any portion of the payment that is not spent within 12 months of receipt is a countable resource. Individuals who are concerned about having resources that exceed the amount allowable to maintain eligibility for MA and/or SSI in 12 months are encouraged to explore the option of an ABLE account. More information about Pennsylvania's ABLE program is available at <https://www.paable.gov/>.

**9. Will the economic impact payments need to be reported as income for MA for the month it is received? Will it count as income in the month it is received?**

No, the economic impact payments will not be counted as income in the month the amount is received and is excluded from assets for 12 months after amount is received. The payment must be reported to the County Assistance Office (CAO), but it will be considered excluded income for MA eligibility. However, on the 13<sup>th</sup> month, if the economic income payment is not fully spent, this money would be included as income when calculating MA eligibility.

**10. How will my economic income payment impact my room and board charges?**

The economic income payment is not counted as monthly income and therefore, will not be used to calculate room and board charges.

**11. Are CAOs making changes to MA eligibility or determining individuals eligible during the COVID-19 emergency?**

CAOs are instructed not to close or decrease MA benefits during the disaster declaration. The Office of Medical Assistance Programs (OMAP) is aware of individuals whose MA eligibility was incorrectly closed. Members whose MA benefits have terminated on or after March 18, 2020 will have them reinstated. If an individual has questions about MA eligibility, please instruct the person to contact their CAO.

**12. What about Medical Assistance for Workers with Disabilities (MAWD)? Will eligibility for MAWD be impacted by the economic impact payments?**

Everyone that was open in MAWD as of March 18<sup>th</sup> will continue to receive MAWD<sup>1</sup>. It is not impacted by income changes, loss of job or receipt of stimulus.

The CARES Act requires that for states to receive an additional 6.2% in federal Medicaid matching funds, any Medicaid case that was open as of the date of passage (March 18, 2020) must remain open through the emergency declaration<sup>1</sup>. We are providing good cause for job loss and taking self-attestation for reopening people who were closed prior to the 18<sup>th</sup> but who state that they paid their past due premiums. The only closures will be to transfer people to a different Medicaid category (one with no premium requirement) if they qualify.

**Are there any issues with Eligibility Verification System (EVS) that providers and Administrative Entities should be aware of?**

Providers and Administrative Entities use the EVS to determine whether an individual is eligible for MA prior to rendering services or determining eligibility. The EVS may not reflect MA eligibility or may reflect eligibility for MA Fee-For-Service (ACCESS) and not the MCO they were

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<sup>1</sup> This applies to the MAWD recipient unless they are no longer a resident of Pennsylvania, the individual requested their benefits be closed, the individual has passed away or the individual is incarcerated

covered under prior to March 31, 2020. The Department is working to correct these eligibility issues.

In EVS, if an individual is showing as eligible for ACCESS, but had previous managed care coverage, providers should contact that MCO to verify enrollment. If EVS shows the individual as no longer eligible for any coverage on or after March 18<sup>th</sup>, please instruct the individual to contact their CAO. More information on this can be found at <https://www.dhs.pa.gov/providers/Providers/Documents/Coronavirus%202020/PROMISeQuickTip244.pdf>.

**13. Do the economic impact payments affect SNAP benefits?**

Information about SNAP benefits, including SNAP COVID-19 Resources, can be found at the following link on the Department's website:

<https://www.dhs.pa.gov/Services/Assistance/Pages/SNAP.aspx>

**14. Are any of my other benefits impacted, such as Medicare or Temporary Assistance for Needy Families (TANF)?**

Cornell University put together a very thorough explanation about how benefits are impacted by the COVID-19 pandemic which can be accessed at <https://yti.cornell.edu/images/COVID-19-Benefits.pdf>.

**15. Can I still receive assistance and information about my benefits through a Work Incentives Planning and Assistance (WIPA) program?**

Yes, the WIPA programs are still open and providing assistance. For a referral to a local WIPA, contact the Social Security Administrations helpline at 1-866-968-7842 (V) or 866-833-2967 (TTY).

Individuals, families and providers should continue to check the Department's COVID-19 website and the Department of Health's website for updates regarding COVID-19.

Additional information on COVID-19 impacts on SSI can be accessed at <https://www.ssa.gov/coronavirus/>