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Department of Transitional Assistance
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Operations Memo 2010-53
November 17, 2010

To: Transitional Assistance Office Staff

From: Stephanie Brown, Assistant Commissioner for Policy, Program and External Relations

Re: EAEDC: New Interim Assistance Reimbursement Agreement and New Authorization for Reimbursement of Interim Assistance (AP-SSI-IAR) Form

Overview

Effective November 20, 2010, DTA and the Social Security Administration (SSA) will implement a new interim assistance reimbursement agreement. As with the old agreement, SSA will reimburse DTA for some or all of EAEDC benefits paid to a client while SSA determines if the individual is eligible for SSI benefits.

As a condition of EAEDC eligibility, the client must sign an authorization form allowing SSA to reimburse DTA for the EAEDC assistance paid. Under the terms of the new agreement, if the client becomes SSI eligible, SSA will determine the amount owed to DTA from the individual's retroactive SSI benefits and send that amount to DTA.

A new client authorization form, *the Authorization for Reimbursement of Interim Assistance* (AP-SSI-IAR), (Attachment A) has been jointly created by representatives from DTA and SSA to be used for the new interim assistance reimbursement agreement. This single form replaces the two authorization reimbursement forms under the previous interim assistance reimbursement agreement.

TAOs will receive a supply of the AP-SSI-IAR form, in English and Spanish, prior to November 20, 2010. TAOs may reorder the forms from Schrafft as needed.

Purpose of Memo

This Operations Memo:

- introduces the *Authorization for Reimbursement of Interim Assistance* (AP-SSI-IAR) form;
 - explains the AP-SSI-IAR form as it applies to initial SSI claims and SSI posteligibility cases (suspended or terminated SSI cases); and
 - describes case managers' responsibilities for processing the AP-SSI-IAR form.
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Obsolete Forms

Effective November 20, 2010, the *Authorization for Interim Assistance Reimbursement* (AP-SSI-1) and the *Authorization for Interim Assistance Reimbursement* (AP-SSI-1A) forms are obsolete and must not be used.

All supplies of the AP-SSI-1 and the AP-SSI-1A forms in the TAO must be destroyed.

Note: Previously signed and dated AP-SSI-1 and AP-SSI-1A authorizations that are currently on file are valid until they expire.

The AP-SSI-IAR Authorization Form

The AP-SSI-IAR form is used to authorize DTA reimbursement for:

- initial SSI claims; and
- SSI posteligibility cases. These are claim situations where an individual previously received SSI, and his or her SSI benefit has been suspended or terminated for less than one year.

The AP-SSI-IAR form must be completed accurately and reflect the appropriate SSI claim situation. To ensure a valid form, only the Initial Claim Only **or** the Posteligibility Case Only should be checked when completing this form.

Initial SSI Claims

When the Initial Claim Only block is checked, the authorization is valid for 12 months. The 12-month period begins when the signed and dated AP-SSI-IAR form is entered on the SSI Tracking page in the Assessed Person Nonfinancials workflow in BEACON. Once the SSI Tracking page is completed, the automated tracking process takes place.

**AP-SSI-IAR
Authorization
Form
(continued)**

The authorization may continue in effect beyond the 12-month period, when the client:

- applied for SSI benefits before signing the authorization form;
- applied for SSI during the 12-month period that the authorization form is in effect; or
- files a timely appeal of SSA's determination on the initial claim.

The period of the authorization can terminate before or after the 12-month period when any of these actions occur:

- SSA issues the SSI retroactive payment;
- SSA makes a final determination on the claim; or
- DTA and the client agree to terminate the authorization.

The authorization period will end on the day any of these actions take place.

***Posteligibility
Cases***

When the Posteligibility Case Only block is checked, the authorization is valid for 12 months. The 12-month period begins when the signed and dated AP-SSI-IAR form is entered on the SSI Tracking page in the Assessed Person Nonfinancials workflow in BEACON. Once the SSI Tacking page is completed, the automated tracking process takes place.

The authorization can be in effect longer than the 12-month period if the client files a timely appeal with SSA.

The period of the authorization can end before or after the 12-month period when any of these actions occur:

- SSA makes the first SSI payment on the posteligibility case after a period of suspension or termination;
- SSA makes a final determination on the appeal; or
- DTA and the client agree to terminate the authorization.

The authorization period will end on the day any of these actions take place.

**Case Manager
Responsibilities**

To become or remain eligible for EAEDC, a client under age 65 with a physical and/or mental impairment(s) or anyone over age 65 must apply for SSI and cooperate with the SSI application and appeal processes.

Additionally, the client must read (or have read to him or her), understand, sign and date the AP-SSI-IAR form.

**Case Manager
Responsibilities
(continued)**

The case manager is responsible to:

- explain the SSI application and interim assistance reimbursement requirements to the client;
- have the client read the AP-SSI-IAR form;
- have the client check the appropriate block on the AP-SSI-IAR form;

Remember: Only one block must be checked. If the client checks both blocks, destroy that authorization form. Give the client a new AP-SSI-IAR form and ensure he or she checks only one block, signs and dates the form.

- have the client sign and date the Signature of Individual Receiving Interim Assistance section of the AP-SSI-IAR form;
- sign and date the Signature of State Representative section of the AP-SSI-IAR form;
- give the client a copy of the AP-SSI-IAR form, with instructions to take the copy of the signed form to the SSI interview;
- annotate the Narrative tab regarding the client's compliance with signing the AP-SSI-IAR form; and
- file the original AP-SSI-IAR form in the case record.

Important: The original AP-SSI-IAR form must stay in the case record. Central Office Administration and Finance staff may request a copy of the signed AP-SSI-IAR form. However, the form should only be sent to the Administration and Finance unit if requested.

**BEACON
Instructions**

Once the client and case manager have signed and dated the AP-SSI-IAR form, the receipt of the completed form must be entered on the SSI Tracking page.

The case manager must:

- access the SSI Tracking page;
 - select the "Yes" radio button on the AP-SSI Form signed field;
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**BEACON
Instructions
(continued)**

- enter the date the client **signed** the AP-SSI-IAR form in the Signed field;
- enter the current date in the AP-SSI referral field;
- click Next to save the data entered.

The SSI application status will be tracked and updated from the SDX batch job. If at any time the client fails to cooperate with the SSI process, the EAEDC case will be closed automatically, following established procedures. See Field Operations Memo 2005-21: *Resumption of the Automated EAEDC/SSI Referral/Closing Process*.

Questions

If you have any questions, please have your Hotline designee call the Policy Hotline.



AUTHORIZATION FOR REIMBURSEMENT OF INTERIM ASSISTANCE

INITIAL CLAIM OR POSTELIGIBILITY CASE

Name	Social Security Number
Street Address	City/State/ZIP Code

The term “state” means the Massachusetts Department of Transitional Assistance.

What actions am I authorizing when I sign this authorization and I check the “Initial Claim Only” block?

☐ **Initial Claim Only**

You are authorizing the Commissioner of the Social Security Administration (SSA) to reimburse the state for some or all of the money the state gives you. This money helps you while SSA decides if you are eligible to receive SSI benefits. If you become eligible, SSA pays the State from the retroactive SSI benefits due you. The reimbursement covers the time from the first month you are eligible to receive SSI benefits through the first month your monthly SSI benefit begins.

If the state cannot stop the last payment made to you, SSA can reimburse the state for this additional payment amount.

What actions am I authorizing when I sign this authorization and I check the “Posteligibility Case Only” block?

☐ **Posteligibility Case Only**

You are authorizing the Commissioner of the Social Security Administration (SSA) to reimburse the state for some or all of the money the state gives you. This money helps you while SSA decides if your SSI benefits can be reinstated after being terminated or suspended. If your SSI benefits resume, SSA pays the state from the retroactive SSI benefits due you. The reimbursement covers the time from the day of the month the reinstatement is effective through the first month your monthly SSI benefit resumes.

If the state cannot stop the last payment made to you, SSA can reimburse the state for this additional payment amount.

How can the state use this form when blocks for initial claims and posteligibility cases are part of the form?

The state can use this form for one case situation at a time, either an initial claim or a posteligibility case. If both blocks are checked the form is not valid. You and the state must sign and date a new form with only one block checked.

What kind of state payment qualifies for reimbursement by SSA?

SSA can reimburse a state for a payment that is paid only from state or local funds. The state cannot be reimbursed for payments made wholly or partially from Federal funds.

How does SSA determine how much of my SSI money to pay the state?

SSA decides the amount of payment based on two considerations. First, SSA looks at the amount of money claimed by the state, and second, SSA looks at the amount of your retroactive SSI money available to pay the state. SSA can reimburse the state for a payment made in a month only when you receive a state payment and an SSI payment for the same month. SSA will not pay the state more money than you have for the SSI retroactive period.

How long is this authorization effective for the state and me if I checked the “Initial Claims Only” block?

This authorization is in effect for you and the state for twelve (12) months. The 12 months begin with the date the state notifies SSA through an electronic system that the state has received the authorization and ends 12 months later. You and a state representative must sign and date the authorization for the authorization to be valid.

Exceptions apply to this rule. The state must send SSA the authorization within a certain time frame. For a state using an electronic system, SSA must receive the authorization information within 30 calendar days of the state matching your SSI record with your state record. If the information is late, SSA will not accept the information sent by the state. SSA will not pay any of your retroactive SSI benefits to the state. SSA will send you any SSI money that may be due you, based on SSA's regular payment rules.

Can the authorization stay effective longer than the 12-month period? Can the authorization end before or after the 12-month period ends?

The authorization can stay effective longer than the 12-month period, if you

- apply for SSI benefits before the state has the authorization form, or
- apply within the 12-month period the authorization is effective, or
- file a valid appeal of SSA's determination on your initial claim.

The period of the authorization can end before the 12-month period ends, or end after the 12-month period ends when any of these actions take place:

- SSA makes the first SSI payment on your initial claim; or
- SSA makes a final determination on your claim; or
- the state and you agree to terminate this authorization.

The authorization period will end with the day of the month any of these actions take place.

How long is this authorization effective for the state and me if I check the "Posteligibility Case Only" block?

This authorization is in effect for you and the state for twelve (12) months. The 12 months begin with the date the state notifies SSA through an electronic system that the state has received the authorization and end 12 months later. You and a state representative must sign and date the authorization for the authorization to be valid.

Exceptions apply to this rule. The state must send SSA the authorization within a certain time frame. For a state using an electronic system, SSA must receive the authorization information within 30 calendar days of the state matching your SSI record with your state record. If the information is late, SSA will not accept the information sent by the state. SSA will not pay any of your retroactive SSI benefits to the state. SSA will send you any SSI money that may be due you, based on SSA's regular payment rules.

Can the authorization stay effective longer than the 12-month period? Can the authorization end before or after the 12-month period ends?

The authorization can stay in effect longer than the 12-month period if you file a valid appeal. You must file your appeal within the time frame SSA requires. The period of the authorization can end before the 12-month period ends, or can end after the 12-month period ends when any of these actions take place:

- SSA makes the first SSI payment on your posteligibility case after a period of suspension or termination; or
- SSA makes a final determination on your appeal; or
- the state and you agree to terminate this authorization.

The authorization period will end with the day of the month any of these actions take place.

Can SSA use this authorization form to protect my filing date for SSI benefits?

SSA can use this form to protect your filing date if you checked the “Initial Claims Only” block. When you sign this form, you are saying that you have the intention of filing for SSI benefits if you have not already applied for benefits.

You have sixty (60) days from the date the state receives this form to file for SSI benefits. Your eligibility to receive SSI benefits can be as early as the date you sign this authorization if you file within the 60-day time period. If you file for SSI benefits after the 60-day time period, this form will not protect your filing date. Your filing date will be later than the date you sign this form.

How do I appeal a state’s decision if I do not agree with the decision?

You can disagree with a decision the state made during the reimbursement process. You will receive a state notice telling you how to appeal the decision. You cannot appeal to SSA if you disagree with any state decision.

Within 10 working days after the state receives the reimbursement money from SSA, the state must send you a notice. The notice will tell you three things: (1) the amount of the payments the state paid you; (2) that SSA will send you a letter explaining how SSA will pay the remaining SSI money (if any) due you, and (3) about your right to a hearing with the state, including how to request the hearing.

What Happens if SSA mistakenly sends the payment to me?

I understand that if I am found eligible to receive SSI payments, and by mistake the payment is sent to me, when it should have been sent to DTA, then DTA can demand that I pay to it the amount of money that SSA determines is due DTA. If I do not pay this amount, I understand DTA can seek to collect this amount from me through a court action or other legal remedy. The Commissioner of the SSA will not be a party to, or responsible for, participating in DTA’s efforts to recover any IAR due it, under these circumstances.

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Signature of Individual Receiving Interim Assistance Date _____

Signature of State Representative Date _____ GR Code **22160**