



NC DEPARTMENT OF HEALTH AND HUMAN SERVICES

Representative Payee Responsibilities and Stimulus Payments

Federal stimulus payments are being issued and this includes payment to individuals with disabilities. The NC Department of Health and Human Services (DHHS) reminds all providers/licensees that also serve as Representative Payees for Social Security Administration (SSA) beneficiaries with disabilities to ensure payees understand that federal stimulus checks, known also as “Economic Impact Payments (EIP),” belong solely for the use of and by the beneficiary – not the payee. It is essential that payees and other care providers know they may not retain these payments and must properly credit the payments to individual residents’ personal needs accounts, inform residents of the availability of their payments, and provide residents timely access to their funds.

The Social Security Administration (SSA) has posted direction on its website (www.ssa.gov/coronavirus) about the use of this money, providing clear direction to Representative Payees that their role is limited solely to the management of the beneficiary’s SSA benefits. SSA’s “Guide for Organizational Representative Payees”¹ is clear about this limitation: “Being a payee does not [emphasis provided by SSA] give you authority to: Manage the beneficiary’s non-social security income; ... Manage or control the beneficiary’s wages, pensions, dividends or any income from sources other than Social Security or SSI benefits.” Additionally, the IRS excluded the stimulus money as a resource for purposes SSA benefits if the money is spent within 12 months.

NCDHHS strongly recommends that all providers schedule an interdisciplinary team meeting, as appropriate, with the stimulus money recipients they serve, to draft addenda to their plans addressing the individual’s preferences for using the money. As examples, residents might choose to use the payment for personal room furnishings, tablets or smart phones to communicate with family and friends, or other purchases of their choosing. The support team should include family members who are involved in the individuals’ care, guardians and/or therapists who have insight on assistive technology needs, and Money Follows the Person (MFP) transition specialists if transition is being considered.

Guidance by the Division of Health Service Regulation, Mental Health Licensure & Certification Section, also points to a specific rule [10A NCAC 27F .0105](http://www.ncac.gov/10A-NCAC-27F-.0105) addressing client’s personal funds. This rule applies to clients residing in 24-hour facilities, such as supervised living group homes. In the event that you become aware of any misuse of client funds please notify the complaint intake unit at 1-800-624-3004 (within N.C.) or

¹ https://www.ssa.gov/payee/NewGuide/toc.htm#Limits_Payee

919-855-4500. If you have concerns about a client who is not in a licensed facility, notification should occur with local DSS Adult Protective Services.

If there are general questions about the role of the Representative Payee regarding beneficiary stimulus payments, please contact your local Social Security Administration office. You may also contact local Work Incentives, Planning and Assistance Benefits Counselors or NCDHHS' Division of Vocational Rehabilitation Services, Work Incentives at 800-689-9090.