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Report from the Social Security Advisory Board

If a Social Security recipient/beneficiary is deemed to be unable to handle his or her own finances, the Social Security Administration (SSA) appoints someone to serve as representative payee or “rep payee.” The purpose is to protect our most vulnerable populations i.e. minors, disabled, and those elderly who have lost the ability to manage their own finances. The program serves more than eight million persons currently and that number, under the current guidelines of use, will grow exponentially as baby boomers age. The Social Security Advisory Board undertook to study the rep payee program and issued a report recommending immediate changes and a plan for broader government-wide action. The full 46-page report can be accessed at:

<http://www.ssab.gov/Details-Page/ArticleID/1237/IsPreview/true/Improving-Social-Securitys-Representative-Payee-Program-January-2018>.

Anyone who has encountered or may encounter the rep payee program may be interested in the report. The report itself is divided into five parts: (1) the projected demand for the rep payee program; (2) the way SSA determines if a beneficiary needs a rep payee; (3) SSA’s monitoring of the program; (4) inter-agency collaboration; and (5) the Board’s recommendations. The current size of the program is “staggering” as indicated in the report. In 2016, close to six million rep payees managed \$70 million in benefits for nearly eight million Old Age, Survivors and Disability Insurance (OASDI) beneficiaries and Supplemental Security Income (SSI) recipients. This number is likely to grow rapidly as the population ages.

To complicate matters, the process for determining who needs a rep payee and who can serve as one is handled by Field Office (FO) personnel who are not trained auditors or social workers and who may only receive a few hours training on this issue. The process is often not standardized throughout the offices. In my personal experience, a family attempting to use a Power of Attorney document is enough of an action to trigger the imposition of a rep payee. This is despite the SSA POMS stating that “the ability to access and control how one’s money is spent is critical to feelings of self-worth and is one of the essential elements of self-determination and liberty.” But how to balance the need to protect the vulnerable and to allow self-determination where possible?

Among the summary recommendations of board are to standardize the capability determination process by using empirically-based assessment and decision-making methods. Other recommendations include the creation of specialized rep payee expertise at the FO and/or regional level to administer the rep payee program more uniformly, to answer questions and train new rep payees and to manage organizational rep payee caseloads. There are recommendations to Congress and SSA, Congress alone, and the Office of Management and Budget (OMB).

The report is extensive and gives a good overview of the current program as well as the issues that were discovered. This program fills an important need for minors and disabled persons as well as older adults who may be exploited as they lose capacity. The Board is making recommendations to have the program work more efficiently while protecting those who do not need the service.