

Important Change for SSI Recipients and Applicants

PRACTICE TIP • August 2021

Kate Lang, Senior Staff Attorney, Justice in Aging

The Social Security Administration (SSA) recently changed their rules about how pandemic-related financial assistance can affect an individual's eligibility for Supplemental Security Income (SSI) or monthly SSI benefit amount. Previously, SSA had been counting many types of assistance as income and resources for SSI purposes, resulting in individuals having their SSI benefits reduced or suspended, or having their applications for SSI benefits denied. However, due to the severity of the ongoing COVID-19 pandemic, SSA has decided they will not count most types of pandemic-related financial assistance against SSI eligibility or benefit amount. This includes:

- Economic Impact Payments (EIP)
- State Stimulus Payments (including California's Golden State Stimulus Payments and Golden State Grant Program payments; Maryland's stimulus payments for EITC filers; and New Mexico's tax rebates for recipients of the Working Families Tax Credit)
- Unemployment Assistance (also includes regular state unemployment benefits, with the time period for the exclusion in certain states ending in June or July 2021¹)
- Paycheck Protection Program (PPP): Loan Forgiveness to Employers and Self-Employed Individuals
- Economic Injury Disaster Loan (EIDL) Program: Loans/Grants to Employers and Self-Employed Individuals /Grants
- Coronavirus Food Assistance Program—Direct Payments to Farmers and Ranchers
- COVID-19 Veteran Rapid Retraining Assistance Program
- COVID-19 Funeral Assistance
- Emergency Rental Assistance Fund
- Emergency Assistance for Rural Housing/Rural Rental Assistance
- Homeowner Assistance Fund
- Housing Assistance and Supportive Services Programs for Native Americans
- Tribal Payments from the Coronavirus Relief Fund and the Coronavirus State and Local Fiscal Recovery Funds
- Supporting Foster Youth and Families
- Higher Education Emergency Relief Fund
- Emergency Assistance to Children and Families through the Pandemic Emergency Assistance Fund
- Farm Loan Assistance for Socially Disadvantaged Farmers and Ranchers
- USDA Assistance and Support for Socially Disadvantaged Farmers, Ranchers, Forest Land Owners and Operators, and Groups

¹ See the chart in paragraph B.4. of [EM-21050](#).

SSA has identified all of these types of pandemic-related financial assistance as “disaster assistance.” This means they are excluded from being counted as a resource indefinitely, without a time limit.²

SSA is now reviewing SSI applications, redeterminations, appeals, and other records going back to the beginning of the COVID-19 pandemic in March 2020, to restore SSI payments for people whose SSI was affected by receiving any of the assistance listed above.

In most cases, the individual will not need to do anything. If SSA does not need any additional information, they will restore the SSI benefits going forward and also send a lump sum of any “underpaid” benefits that were missing since March 2020.³ SSA will mail a letter explaining the payments to the most recent address they have on record for the individual. If the person has an appointed representative or a representative payee, SSA will also send this information to the representative.

If SSA needs additional information from the person before they can restore their SSI benefits, or if they need to take a new SSI application, they will mail a letter. The letter will explain that SSA needs to talk with the person at a scheduled appointment. Generally, this appointment will take place by telephone.

PRACTICE TIP

Bank account balances above the \$2,000 resource limit (\$3,000 for an eligible couple) will require additional information from the individual, and manual actions by an SSA employee to apply the pandemic-related resource exclusions. SSA has instructed their employees to “Accept the individual’s reasonable allegation regarding how much assistance was retained and how the funds were held. . . .”⁴ SSA employees should not be requiring further documentation to be submitted in these situations.

If the person has moved since their SSI benefits were reduced or suspended, then they need to call their local SSA office to report their new address. They can find the telephone number by using SSA’s [office locator](#).

Individuals do not need to wait until they receive a letter from SSA to contact their local SSA office to provide any information needed to restore their SSI benefits. Advocates assisting older adults with these issues can be proactive and start assisting clients with contacting SSA to access or restore SSI benefits now. Individuals can also call their local SSA office or the national toll-free number (1-800-772-1213) if they are interested in filing an application.

-
- 2 20 CFR 416.1237; POMS SI 01130.620, Disaster Assistance (secure.ssa.gov/poms.nsf/lnx/0501130620), SI 01130.700, Identifying Excluded Funds That Have Been Commingled With Non-excluded Funds (secure.ssa.gov/poms.nsf/lnx/0501130700).
 - 3 These retroactive benefits are not counted as income and will not be counted as a resource for 9 months following the month in which they are received. POMS SI 01130.600, Retroactive Supplemental Security Income (SSI) and Retirement, Survivors and Disability (RSDI) Payments (secure.ssa.gov/poms.nsf/lnx/0501130600). If more than \$4,765 is paid in retroactive benefits for a child on SSI, that money must be deposited in a dedicated account. POMS SI 01130.601, Dedicated Accounts for Past-Due Benefits Due to Individuals Under 18 Who Have a Representative Payee (secure.ssa.gov/poms.nsf/lnx/0501130601).
 - 4 EM-21050 at paragraph C.1.

More Information

- [EM-20014 REV 3](#), Effect of COVID-19 Related Financial Assistance on SSI Income and Resources (published July 23, 2021; in effect until January 23, 2022)
- [EM-21050](#), Special Processing Instructions for Applying Supplemental Security Income (SSI) Income and Resource Exclusions to Pandemic-Related Disaster Assistance (published July 23, 2021; in effect until January 23, 2022)

Please contact ConsultNCLER@acl.hhs.gov for free case consultation assistance, available for professionals assisting older adults. Sign up for our email list and access more resources at [NCLER.acl.gov](https://www.acl.gov/ncler).