

Stimulus Payments and Representative Payees: What You Need to Know

Under recent COVID-19 legislation, most people receiving Supplemental Security Income (SSI) and Social Security are receiving stimulus payments of up to \$1,200. The Internal Revenue Service (IRS) will begin issuing these payments to those who have a representative payee and did not file a tax return in 2018 or 2019 in late May.

This money belongs to you, not your representative payee!

If I Have a Representative Payee, How Will the IRS Send Payment to Me?

- If you filed a tax return for 2018 or 2019, payment will either:
 - » Be sent to the bank account you listed on your tax return for deposit of your electronic tax refund, or;
 - » It will go by paper check to the address provided on the tax return (if you didn't get a tax refund or your refund was mailed to you).
- If you did not file a tax return for 2018 or 2019:
 - » If your representative payee is an organization assisting more than one Social Security beneficiary (like a social service agency or a local government office), the IRS will send the payment by direct deposit to the bank account your Social Security benefit is deposited in or will mail by paper check to your payee **around May 27**.
 - » If your representative payee is an individual (like a friend or family member), then the IRS will send the payments to the same bank account or Direct Express card, where your monthly benefit from Social Security is deposited, **around May 27**. It has not yet been announced when paper checks will be mailed.

What Should the Representative Payee Do with the Payment?

The payment belongs to you. It is not the same as benefits from the Social Security Administration (SSA). Your payee should turn the money over to you. If you would like, you can ask the representative payee to help you make a plan for how to spend the money and help you with using your payment. However, your representative payee is not required to assist you in spending your stimulus check. And you do not have to ask your representative payee for help. You can consult with people you trust—like friends, family members, or clergy—about what you would like to do with the money and seek their help in spending it.

If you receive SSI benefits, your stimulus payment may impact your eligibility for SSI and possibly Medicaid depending on your state. You can ask your trusted family, friends, or your representative payee to help you be sure that you have less than the SSI limit of \$2,000 in savings within 12 months of receiving the stimulus payment. If you have more than \$2,000 in your account at that time, you could risk losing your SSI. If you have Medicaid, you need to know that states have different limits on how much savings you can have and still qualify for Medicaid. You will want to be sure you are under the limit within 12 months of receiving your stimulus payment.

Does the Representative Payee Need to Account for the Stimulus Payment to SSA?

No. Because the payment is not a benefit from SSA, your payee is not required to account for the payment, even if they are usually required to submit an annual accounting form to SSA.

What if the Representative Payee Does Not Release the Payment to Individuals — What Recourse do They Have?

SSA is not required to investigate whether your representative payee has misused your stimulus payment. However, if SSA receives an allegation that your payee did not use the payment on your behalf, SSA may decide to investigate. SSA may also determine your payee is no longer suitable and appoint a new representative payee.

The [Elder Care Locator](#), (1-800-677-1116) has more information about your local legal aid offices and your state's Protection and Advocacy System (often known as Disability Rights), or Center for Independent Living. These offices may be able to give you legal help to get your payment.

If no other option has worked, you could also make a complaint to the police (since the payee is essentially stealing your money by taking it and not discussing it with you) but hopefully you can resolve things before it comes to that.

Where Can I Find More Information About the Stimulus Check?

- IRS: [Economic Impact Payments: What You Need to Know](#)
- SSA: [Economic Impact Payments for Social Security and SSI Recipients](#)
- CMS: [Nursing Home Residents' Rights to Retain Federal Economic Incentive Payments](#)
- NCLER:
 - » [SSA Responds to COVID](#)
 - » Economic Impact Payments & Older Adults: [Recording](#), [PowerPoint](#), and [FAQ](#).
 - » National Consumer Law Center: [EIP Stimulus Payment Prepaid Card: Not a Scam, How to Avoid Fees](#)