

National Center for Benefits Outreach and Enrollment

Helping Seniors and Adults with Disabilities Access Benefits

March 2009 Training “The American Recovery & Reinvestment Act” Follow-Up Questions & Answers

One Time Payments

When are the one time payments going to be sent?

According to the Social Security Administration (SSA), those eligible for the one-time payment will receive it in May 2009, or the first week in June 2009.

How will people know if they will get a one-time payment?

According to SSA, notices will go out in April 2009 to all those who are eligible for the payment.

If my clients get Social Security and another benefit, such as a Veterans’ Administration (VA) pension, will they get a one-time payment? Or will they get two payments?

Yes they will receive a one-time payment. However, no one will receive more than one such payment (although spouses will each receive their own one-time payment).

Will a person who gets both Social Security *and* Supplemental Security Income (SSI) get a one-time payment?

Yes, someone who gets any kind of Social Security (including but not limited to retiree or disability benefits) *and* SSI will receive a one-time payment, but only one, not two payments.

Is the one-time payment available to people who live in the U.S. territories?

Yes, eligible individuals who reside in the U.S. territories will receive the one-time payment.

Will an SSI recipient living in Section 8 housing get a one time payment?

Yes. Living in Section 8 subsidized housing will not disqualify an SSI recipient from receiving a one-time payment.

Will the one-time payment affect eligibility for or amount of Section 8 housing subsidies?

No. ARRA provides that the one-time payment will not count towards the eligibility or amount of any entitlement benefits funded wholly or in part with federal funds. Since Section 8 subsidies are federally funded, receiving a one-time payment will not affect eligibility for or the amount of Section 8 housing subsidy.

Will the one time payment affect eligibility for and amount of Temporary Aid to Needy Families (TANF) that is fully funded by a state?

ARRA does not address how a person's state-funded benefits are affected by the receipt of a one-time payment. We suggest contacting the agency in your state that administers TANF (or any other benefit funded exclusively by a state) to find out how receipt of the one-time payment will be treated for purposes of eligibility and amount of the benefit.

My client became eligible for Social Security in January 2009, so she received her first payment in February. Will she get a one-time payment?

No. ARRA is clear that individuals must have *received* a Social Security, SSI, VA or Railroad Retirement benefit in November or December 2008 or January 2009 in order to be eligible for a one-time payment.

Does the employed spouse of a Social Security recipient get the one-time payment?

Only those who get Social Security, SSI, VA or Railroad Retirement benefits are eligible for the one-time payment. If the employed spouse is not getting one of those benefits, s/he will not get a one-time payment.

Will the one time payment be recouped to pay for money owed on improperly paid unemployment insurance?

According to SSA, one-time payments can be recouped to repay any federal or state debts, except for SSA and SSI overpayments.

Please explain which nursing home residents will *not* get a one time payment.

Nursing home residents whose sole income source is SSI and whose care is primarily paid for by Medicaid and receive a monthly SSI benefit of only \$30 will not get a one-time payment. Additionally, people getting SSI who live in publicly owned or operated

residential facilities, including county board and care facilities, municipal nursing homes, jails, or prisons, will not get a one-time payment.

Will people on SSI in board and care facilities get the one time payment?

Generally, people on SSI who live in board and care facilities will receive the one-time payment, unless the facility is government-owned or operated. In addition, in the event that a SSI recipient only receives \$30 per month because Medicaid pays the board and care facility bill, then the SSI recipient would not get a one-time payment.

Please explain more about the people who won't get a one-time payment because they live in governmentally owned or operated residential facilities.

SSI recipients who live in Medicaid-funded nursing home will not receive a one-time payment. You'll know who they are because their SSI monthly benefit is reduced to \$30 per month, as a personal needs allowance. Additionally, SSI recipients residing in government-owned or operated residential facilities, such as county run board and care homes or municipal nursing homes, will not receive a one-time payment.

What can residents do if their nursing home takes their one-time payment?

Residents should immediately ask the Long Term Care Ombudsman for assistance, as ARRA is very clear that the one-time payment may not be taken by the nursing home.

Do people residing in assisted living facilities get the one time payment?

Yes. People living in assisted living facilities should generally receive the one-time payment if they get Social Security, SSI, VA or Railroad Retirement benefits.

COBRA

How does a laid-off worker get the COBRA subsidy?

COBRA plan administrators will notify everyone laid off between September 2008 and December 2009 of the ARRA premium subsidy option. People newly eligible for COBRA coverage will be informed about the ARRA subsidy through the general COBRA notice that they receive within 45 days of being laid off. The ARRA COBRA provisions also allow otherwise qualified people who either declined to elect COBRA, or were disenrolled from COBRA for failure to pay the premium another opportunity to enroll with the new premium subsidy. Plan administrators must also give notice to these former workers and their dependents no later than April 18, 2009. Those already on COBRA then have 90 days after the notice to elect the subsidy. Those who rejected or were discontinued from COBRA but are now eligible for the premium subsidy have 60 days following the notice to elect COBRA with the premium subsidy.

Model notices and additional helpful information about the COBRA premium subsidies can be found on the Department of Labor Web site here:

<http://www.dol.gov/PrinterFriendly/PrinterVersion.aspx?url=http://www.dol.gov/ebsa/COBRA.html>

Can a laid off worker get the COBRA subsidy retroactive back to September 2008?

No, the subsidy cannot be applied retroactively.

If someone who is getting COBRA because she was laid off due to disability, can she get the COBRA subsidy?

It depends. ARRA restricts COBRA premium subsidy eligibility to those who were involuntarily laid off after September 2008. So if someone who cannot work due to disability was involuntarily laid off in or after September 2008, s/he may qualify for the COBRA premium subsidy.

Unemployment Insurance

Please explain how the unemployment insurance provisions work.

States may enter into agreements with the federal Department of Labor to get enough funding to increase recipients' unemployment insurance assistance by \$25 per week, up to the maximum 33 weeks of unemployment insurance benefit coverage through the end of this year (2009). The additional \$25 is not counted for purposes of determining eligibility for or amount of either Medicaid or SCHIP. It can be counted for purposes of the Supplemental Nutrition Assistance Program (SNAP, formerly known as Food Stamps), the Low-Income Home Energy Assistance Program (LIHEAP) and other benefits.

States can also get additional funding under ARRA if they give unemployment assistance to persons who are unemployed as a result of "compelling family reasons", such as the need to care for an ill relative, or to escape domestic abuse, because they have lost part-time jobs, or because they had to relocate so that a spouse could take a job or relocate to retain a job.

Is 33 weeks now the maximum unemployment insurance coverage period?

Yes. The ARRA extension does not establish any unemployment assistance beyond week 33.

FMAP

Can the increases to state FMAP be used for non-Medicaid purposes, such as to reduce general state budget deficits?

The language used in ARRA is very specific about the uses to which state FMAP funding may be applied. The increased FMAP funding may only be applied towards state Medicaid expenditures.

Nutrition Services

What economic recovery provisions apply to Meals on Wheels funding?

The ARRA funding for nutrition services, including both funding for congregate sites and for home-delivered meals, will be awarded by the Department of Health and Human Services to the states. You can find the funding allocations here:
http://www.aoa.gov/AoA_ARRA_Nutrition_Services_to_States_3-3-09.xls

According to the Administration on Aging, the funding will be available to the states in mid-March, as soon as the states provide gubernatorial certification as to the uses of the monies.