

SSI BENEFITS OVERPAYMENTS

What is overpayment?

An overpayment is when you get more money from Social Security than you were owed.

How does overpayment happen?

An overpayment of SSI benefits may happen if:

- There is an increase in your income, and it is not reported to Social Security.
- Your living situation changes.
- You get married or divorced.
- You have more resources than the allowable limit.
- You are no longer disabled and continue to receive benefits.
- Social Security incorrectly calculates your benefits because of incorrect or missing information.

What happens if I have an overpayment?

If you have an overpayment Social Security will send you a notice. The notice will include:

- What months Social Security overpaid you.
- How much you were overpaid.
- The reason for overpayment.
- How you can pay Social Security back or what you to do if you think you were not overpaid.

Review the notice carefully. Make sure that the information is correct. If you do not respond, Social Security will start collecting your overpayment **60 days** after the date of the overpayment. You should contact Social Security right away about your options.

What can I do if I have an overpayment?

Contact Social Security as soon as possible to discuss your options. You have three options:

- 1. If you agree with the amount of the overpayment and want to pay it back, you can ask for a payment plan.**

If you are still getting SSI benefits, Social Security will take **10%** of your check each month. You can ask Social Security to take less out of your check. You must show that you cannot pay for other expenses such as your home or food without your benefits. If you are no longer on benefits, you can still ask for a payment plan. You must agree to pay at least **\$10 a month**. You will have

to show that you cannot afford to pay more.

2. If you believe you were not overpaid, you can file an appeal. This is called a request for reconsideration.

You should look at your notice. If the information is not correct, you can submit a **request for reconsideration**. A request for reconsideration asks Social Security to look over your overpayment. In your request include any evidence you have that the information is not correct.

You have **60 days** after the overpayment notice to submit your request. Social Security may accept your request after 60 days, if you have a very good reason, such as a serious illness.

3. If you do not have the money to pay back your overpayment, you can ask Social Security to waive the overpayment.

You can ask for a waiver at any time. Social Security will grant you a waiver if you can prove that:

- You cannot afford to pay back the overpayment.
- The overpayment is not your fault.

Social Security must talk to you before they make a decision. You should give Social Security any information that will help.

If you request a reconsideration or a waiver, Social Security cannot collect on the overpayment until it has made a decision.

Can I request both a reconsideration and a waiver?

If you think that both apply to you, you can file both a request for reconsideration and a waiver. If you file for both at the same time, Social Security will make a decision about the request for reconsideration before they look at the waiver request.

How do I prevent overpayment?

To avoid an overpayment, you should:

- Report your income every month to Social Security.
- Report anything that may affect your benefits like moving, getting married, or getting a new job.
- Read every notice you receive from Social Security carefully and keep copies.
- Keep copies of everything you send to Social Security.

DRRI's **Protection and Advocacy for Beneficiaries of Social Security (PABSS)** program can advocate for you. For more information, contact us at info@drri.org or 401-831-3150.

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