

SSDI OVERPAYMENTS

An overpayment is when you receive more money from Social Security than you were owed. An overpayment of SSDI benefits may happen if:

- You have not told Social Security about your work.
- You have not told Social Security about changes in your income.
- You did tell Social Security about your work, but Social Security did not stop your Social Security Disability Insurance (“SSDI”) payments on time.

WHAT HAPPENS IF I HAVE AN OVERPAYMENT?

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

This 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 to do if you think you were not overpaid.

1. Review the notice carefully.
2. 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.
3. You should contact Social Security right away about your options.

HOW DO I PREVENT OVERPAYMENT?

To help avoid an overpayment, you should:

- Report your income every month to Social Security.
 - Read every notice you receive from Social Security carefully and keep copies.
 - Keep copies of everything you send to Social Security.
-

WHAT CAN I DO IF I HAVE AN OVERPAYMENT?

Contact Social Security as soon as possible. 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 benefits, Social Security will take **10%** of your check OR **\$10 each month**, whichever is more. If you can't afford that amount, you can ask Social Security to take less out of your check.

Fill out the [Request for Change in Overpayment Recovery Rate](#) (Form SSA- 634) and fax or mail the form to your local Social Security office. You must agree to pay **at least \$10 a month**.

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. Make sure the amount Social Security says you earned is correct. If you think that 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.

If your overpayment is \$1,000 or less, request a waiver by calling [1-800-772-1213](tel:1-800-772-1213) or your local Social Security office. Social Security may be able to quickly process your request by phone.

You can get the form online at secure.ssa.gov/iApp/INMD/start or by calling Social Security at [1-800-772-1213](tel:1-800-772-1213) (TTY [1-800-325-0778](tel:1-800-325-0778)).

You have **60 days** after the overpayment notice to submit your request. Social Security may accept your request after **60 days**, but only 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 must submit a Request for Waiver of Overpayment Recovery. You get this form online at <https://www.ssa.gov/forms/ssa-632-bk.pdf>. You should give Social Security any information that will help your case.

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 a request for reconsideration and a waiver. If you file for both at the same time, Social Security will decide about the reconsideration before they look at the waiver request.

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**.