

<p align="center">GEORGIA DEPARTMENT OF JUVENILE JUSTICE</p>	<p align="center">Transmittal # 16-15</p>	<p align="center">Policy #: 24.5</p>
<p>Applicability: <input type="checkbox"/> All DJJ Staff <input checked="" type="checkbox"/> Administration <input checked="" type="checkbox"/> Community Services <input type="checkbox"/> Secure Facilities</p>	<p>Related Standards & References: O.C.G.A., Title 15 United States Code, Title 42 Code of Federal Regulations, Title 20, part 404.2001-2065 DJJ Financial Users Manual Social Security Administration Program Operations Manual System (POMS)</p>	
<p>Chapter 24: FEDERAL PROGRAMS</p>	<p>Effective Date: 11/22/16</p>	
<p>Subject: SOCIAL SECURITY AND SUPPLEMENTAL SECURITY INCOME BENEFITS FOR COMMITTED YOUTH</p>	<p>Scheduled Review Date: 11/22/17 New Policy APPROVED:</p>	
<p>Attachments: NONE</p>	<p align="center"></p> <hr/> <p align="center">Avery D. Niles, Commissioner</p>	

I. POLICY:

The Department of Juvenile Justice may manage and account for the Social Security and/or SSI benefits of committed youth as an Organizational Representative Payee. The Department shall retain Social Security and/or Supplemental Security Income (SSI) benefits of committed youth in residential placement to offset the cost of care.

II. DEFINITIONS:

Social Security Administration (SSA): An independent agency of the United States federal government that administers Social Security, a social insurance program consisting of retirement, disability, and survivors' benefits. To qualify for most of these benefits, most workers pay Social Security tax on their earnings; the claimant's benefits are based on the wage earner contributions.

Supplemental Security Income (SSI): The Social Security Administration manages a program funded by general tax revenues that assists the aged, blind, and disabled people who have limited income and resources by providing monthly cash payments to meet basic needs for food, clothing, and shelter.

Social Security Disability Insurance (SSDI): The Social Security Administration manages a program that provides monthly benefits to qualified disabled individuals that are under full retirement age, earned required Social Security credits from earning and have a severe medical impairment (physical or mental) that's expected to prevent an individual from doing substantial work for a year or more or has a condition that is expected to result in death.

Retirement Survivors Disability Insurance (RSDI): The Social Security Administration manages a program that provides monthly benefits to qualified individuals who are retired or disabled. The dependents of eligible beneficiaries, as well as the surviving dependents of deceased workers, can also receive monthly benefits.

Basic Expense: The institution or non-secure residential program's daily room board and watchful oversight (RBWO) rate per youth.

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Benefit: Federal Social Security and/or SSI monetary funds received by the youth or by DJJ on the youth's behalf.

Beneficiary: An individual who receives Social Security and/or SSI benefit payments.

Conserved Funds: Benefit payments not needed for the beneficiary's current maintenance that is conserved or invested on behalf of the beneficiary in an account that is insured under federal or state law. Social Security and/or SSI benefits are saved for the future needs of the youth after his/her current needs are met.

Collective Account: The account that all youth's monthly monetary benefit payments are deposited.

Dedicated Account: A separate banking account from the collective account that is used only for lump-sum or underpayment benefits past due to the youth in excess of \$4500. No other funds are allowed to be deposited in the dedicated account except certain subsequent SSI underpayments and past-due benefits. Dedicated account funds may be used only for expenses directly related to the child's disability. This may include education or job skills training for the beneficiary, expenses related to the beneficiary's impairment(s), personal needs assistance, special equipment, housing modification, therapy or rehabilitation, and other items or services related to the beneficiary's impairment(s) that SSA determines appropriate. Dedicated accounts are excluded resources when determining eligibility for SSI payments for 9 months.

Current Maintenance: Living costs incurred for shelter, food, clothing, medical care, personal comfort items and reasonable foreseeable needs. Current maintenance is not limited to the usual institutional charges but includes expenditures for items that will aid in the beneficiary's recovery or release from the institution or improve the condition of the beneficiary while in the institution.

Custodian: An individual who maintains the necessary detailed files for each youth's benefits. DJJ serves as the custodian for youth in residential programs that receive social security benefits.

Organizational Representative Payee: A person, agency, institution or an organization appointed by SSA to receive the Social Security and/or SSI benefits for an individual who cannot manage or direct the management of his or her benefits. A payee's main duties are to utilize the benefits to pay for the current and future needs of the beneficiary, and properly save any benefits not needed to meet current needs. A payee must also keep detailed records of expenses.

Proper Applicant: A government or state agency that has the right to sign a valid Social Security or SSI application as a result of a DJJ's youth physical custody in an institution or non-secure residential program.

Monthly Monetary Allowance: For institutionalized beneficiaries, a minimum of \$30 per person each month is to be used for the beneficiary's personal needs or saved on his/her behalf. This allowance is for personal items regardless of the beneficiaries' physical or mental conditions.

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Special Expense: Costs incurred beyond the scope of basic expenses and current maintenance, such as non-routine personal comfort and emergency items.

Institution: A facility that is controlled or run by a proprietor (e.g., manager, administrator); that is designed for and normally serves four or more individuals who are not related to the proprietor; and makes available some treatment or services in addition to food and shelter. Such institutions may be a nursing home, hospital, group home or residential care facility. It is not necessary for each resident to receive any or all of the treatment or services.

III. PROCEDURES:

- A. Upon youth's approval of a non-secure residential placement, the Office of Federal Programs will contact the local SSA office to establish DJJ as the organizational representative payee for the youth's social security benefits.
- B. As organizational representative payee, the Office of Federal Programs will:
 - Manage the youth's benefits;
 - Establish and maintain consistent contact with the local SSA office, including informing SSA of any changes that may affect the youth's benefits;
 - Refrain from entering into contracts for youth; and
 - Serve as an approved proper applicant for youth applying for benefits while in residential placement
- C. The Office of Accounting will manage all benefits received from the Social Security Administration.
- D. The Office of Federal Programs and Office of Accounting are responsible for the management of the Social Security and/or SSI benefits. The Office of Federal Programs, through JTS, will maintain files for each youth who has received or is currently receiving benefits. The Office of Federal Programs will ensure that the youth's JTS records includes the following information:
 - Eligibility data/verification;
 - Representative payee information/verification;
 - Benefit levels;
 - Location of the youth;
 - Parent/guardian data;
 - Current Community Case Manager and/or Residential Placement Specialist;
 - Representative Payee Confirmation Letter; and
 - Other pertinent SSA Correspondence.
- E. In accordance with the DJJ Financial User's Manual, Section I, the Office of Accounting will establish a separate bank account to account for any Social Security and/or SSI benefits received on behalf of committed youth. The Office of Accounting will be responsible for the management of this account through information provided by the

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Office of Federal Programs; the account will exhibit detailed records of benefits by youth, including monthly deposits, disbursements and balances.

- F. Social security and SSI benefits may be used to offset the current maintenance expense of each youth in a non-secure residential program. The Office of Federal Programs and the Accounting Office will track, document, and summarize monthly expenses attributable to each youth receiving benefits.

- G. Special expenses for all youth will be made and approved at the discretion of the Office of Federal Programs. Special expenses must be documented and accounted for with an explanation as to why the expense is necessary. Special expenses require original receipts, approval and attestation of the need for the special expense, confirmation that the goods and/or services were received by the youth; and if reimbursed, proof the expense actually incurred.

- H. Monthly Monetary Allowance
 1. It is a SSA requirement that each beneficiary receive a Monthly Monetary Allowance in the amount of \$30.00 if the beneficiary resides in an institution. This allowance can be used to purchase SSA approved items at the beneficiaries' discretion.

 2. The Office of Federal Programs will monitor monthly allowance usage for the beneficiary's personal needs or save the monthly allowance on his/her behalf.

 3. Items that may be considered for purchase by the beneficiary are as follows:
 - A. Health and hygiene items such as soap, toiletries, cosmetics, combs, brushes, bath scale, dermatology treatments, cosmetic surgery, elective or cosmetic dental treatments, etc.;

 - B. Clothing such as caps, scarves, gloves, bathing suits and caps, seasonal garments, shoes, boots, slippers, athletic shoes, disability-related adaptive clothing, etc.;

 - C. Convenience items such as radios, TVs, clocks, CD players, clothes hamper, stationery, wristwatches, etc.;

 - D. Living area furnishings such as carpets, curtains, blankets, bedspreads, quilts, pictures, posters, mirrors, pillows, lockable chest/trunk, rocking chair, recliner, etc.;

 - E. Therapeutic equipment recommended by a doctor or appropriate therapist, and not covered by any other source, such as hearing aids, electric wheelchairs, orthopedic shoes, shower and bathroom chairs, walkers, crawlers, book holders, feeding aids, toilet aids, etc.;

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- F. Transportation expenses such as trips to visit family, or for relatives to visit the beneficiary in special cases, trips to amusement parks, State Fairs, summer camps, etc.;
 - G. Hobby and craft items such as art supplies, photo albums, cameras, DVDs, CDs, etc.; and
 - H. Miscellaneous items such as magazine subscriptions, reasonably priced holiday presents for family/friends, telephone calls to or from out-of-town relatives, restaurant meals.
4. SSA encourages payees to use good judgment in determining appropriate personal expenditures. All purchases should reflect a personal evaluation of the beneficiary's situation and needs, and should help the beneficiary keep contact with the outside world and preserve his/her sense of individuality. Payees should not use benefits to purchase items normally provided by the facility or covered under a State or Federal program. Items purchased using the Monthly Monetary Allowance must be purchased for the youth within the guidelines and regulations of the youth's residential placement.
 5. Youth will be required to utilize the \$30.00 Monthly Monetary Allowance. The Office of Federal Programs will contact the youth's assigned Community Case Manager (Community Case Manager) to discuss the needs of the youth that can be utilized by the allotted SSA monetary allowance. The Office of Federal Programs and the Community Case Manager will coordinate usage of the monetary allowance. If the youth defers usage of the monetary allowance during a reporting month, the Community Case Manager will document in JTS case notes the youth's decision to defer monetary allowance to be utilized at a later date. The Office of Federal Programs will document in JTS case notes the contact with Community Case Manager concerning monetary allowance. The Office of Federal Programs will coordinate monthly with the Community Case Manager on the purchasing needs of the youth on a timely basis. Upon the utilization of the Monthly Monetary Allowance, the receipt must be signed by the youth for all purchases.
 6. The Community Case Manager must upload a copy of the Monthly Monetary Allowance receipt into JTS Correspondence and place the original receipt in the JTS case file.
- I. No more than \$2000 will accumulate in a youth's collective account at any one time. Amounts in excess of \$2000 will be returned to the local SSA office. The Office of Federal Programs and Office of Accounting will coordinate return of those benefits in excess of \$2000 with the local SSA office. If a resolution of the return of benefits cannot be reached with the local SSA office, the balance (over \$2,000) will remain reserved in the respective account until the youth is released from DJJ physical custody and/or supervision. Upon such release, if an overage still exists, a final attempt will be made to coordinate the disposition of any balances with the local SSA office. If no resolution can be reached, the benefits will be returned to the youth or the youth's parent/legal guardian.

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1. Lump-sum or underpayment benefit amounts past due to the youth that are less than \$4500 do not count towards the \$2000 limit for up to 9 months.
 2. Lump-sum or underpayment benefit amounts past due to the youth that are in excess of \$4500 must be deposited in a separate, individual dedicated amount. These funds also do not count towards the \$2,000 limit for up to 9 months.
 3. Within 9 months of receiving any benefits in excess of \$2,000, those funds must be spent on expenses directly related to the child's disability. This may include education or job skills training for the beneficiary, expenses related to the beneficiary's impairment(s), personal needs assistance, special equipment, housing modification, therapy or rehabilitation, and other items or services related to the beneficiary's impairment(s) that SSA determines appropriate.
 4. If after 9 months, there are past due or underpayment benefits that remain unspent, they should be returned to the SSA office.
 5. If State of Georgia banking procedures limit or prohibit the Office of Accounting's ability to open an individual dedicated account for past due or underpayment benefits amounts in excess of \$4500, those funds will be returned to SSA immediately.
- J. The Office of Federal Programs will serve as a Proper Applicant for DJJ youth in residential programs that are potentially eligible for Social Security and/or SSI benefits. The Office of Federal Programs will submit Social Security and/or SSI applications for DJJ youth in residential programs to the local SSA office for processing.
- K. Upon the number of days designated by SSA of the youth leaving residential placement, all balances of benefits and conserved funds will be returned to SSA. All basic and special expenses must be accounted for and sufficient benefits retained prior to balances being remitted.
- L. Independent Living Costs
1. The Residential Placement Specialist, Community Case Manager and the youth may determine that the youth will need funds to prepare for independent living after leaving residential placement.
 2. The youth may save up to \$2,000 of his Social Security and/or SSI benefits in the DJJ collective account for those purposes.
 3. If the youth elects to save funds for these purposes, Community Case Manager will notify the Office of Federal Programs Operations Analyst of the amount the youth would like to save.

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4. The Office of Federal Programs Operations Analyst II will notify the Office of Accounting to set these funds aside for the youth's independent living needs.
 5. The Community Case Manager will notify the Operations Analyst II of any purchases made by the youth from this account for independent living purposes.
 6. The Community Case Manager will also document via JTS Case Note and the receipt should be uploaded into JTS Correspondence Module.
- M. The Office of Federal Programs will submit written correspondence to the local SSA office to notify all placements changes of youth including termination of the DJJ Organizational Representative Payee agreement.
- N. Questions regarding federal benefit eligibility will be directed to SSI_OFP@djj.state.ga.us

IV. LOCAL OPERATING PROCEDURES: NO