

## MEMORANDUM

To: Lanhee Chen and Bernie Franks-Ongoy  
From: Claire Green  
Subject: Proposed Outline for SSI Report – Combining the 2013 and 2014 SSI Statements on SSI Children

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Attached is the Outline on the SSI Children that we discussed at our November 7, 2014 meeting. I think we still need to do some additional research on the California programs and case study as well as the conclusion (see IV and V below) Once you review I would like to discuss next steps and finalize the outline so we can include in the February Briefing Book, and staff can begin combining the 2013 and 2014 statements.

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### SSI REPORT OUTLINE

- I. Introduction
  - a. History of the SSI program
  - b. SSI and children
    - i. Implementation and growth of the SSI program for children
      - 1. The court's impact
      - 2. Post-Zebley decision
      - 3. Welfare reform legislation
      - 4. Data analysis of whether the children removed from the program ended up back on the program
    - ii. Current program demographics
      - 1. All Social Security beneficiaries
      - 2. Number of children under age 18 receiving SSI
      - 3. Children by family income
      - 4. Poverty rate of children under 18
    - iii. Interaction between SSI and other government programs such as SNAP and Medicaid
      - 1. SSI Children beneficiaries in families receiving SNAP
      - 2. SSI Children beneficiaries in families receiving Medicaid
- II. Overview of the foster care system
  - a. Overview of children in foster care including health issues

- b. Representative Payees
  - i. The Keffeler care
  - ii. In Re John G
  
- III. SSI and foster care programs
  - a. Overview of the State/Federal relationship in the foster care system financing (state dollars vs Federal dollars and Federal rules attached to money it provides)
  - b. Eligibility requirements for partial reimbursement under the Social Security Act Title IV-E
  - c. Other Federal funding (focus on adoption)
  - d. Overlap of Title IV-E benefits and SSI
  - e. Title IV-E waivers and its effect on SSI (include discussion about how changing one social program changes other programs)
  
- IV. California as a case study
  - i. WIC 13757 – requires Counties to screen foster care youth and apply for SSI
  - ii. Supportive Transitional Emancipation Program (STEP) program – promotes self-sufficiency by providing an assistance payment to emancipated foster youth until their 21<sup>st</sup> birthday under specified circumstances
  - iii. State Verification and Exchange System (SVES) – States can use SSA’s database to determine whether they should apply to be a child’s representative payee
  
- V. Can the Able Act extend to Children in Foster Care?
  
- VI. Is the PASS program being utilized as fully as it could be?
  
- VII. Recovering Overpayments from children years and sometimes decades after the overpayment has occurred.
  - a. Responsibilities of Rep Payee and the loophole that alleviates the responsibility (see 1964 Ruling that allows rep payees to be excused from responsibility of the debt if they indicate that the overpayment money was used for the benefit of the child. (The ruling applies to disability insurance, but under *Harrison v. Heckler*, 746 F.2d 480, 482 (9th Cir. 1984) SSI uses the same approach for recovery of overpayments.
  - b. Due Process concerns, how this process fits with foster children with state rep payees and class action case challenging the practice.

VIII. Conclusion

- a. Example mission statement for SSI program
- b. Recommendations such as early intervention initiatives, educational/informational programs, and/or program coordination/integration

**Possible Meetings with Staff and Board Members Assigned to Report**

- Alliance for Children’s Rights, Los Angeles, CA
  - Recommendations and best practices
- Department of Public Social Services, Los Angeles, CA
  - Background, demographics of system, recommendations and best practices
- SSA and HHS – Demonstration Project on TANF and SSI integration – components that deal with TANF and Oversight of Foster Care Programs
  - Foster care, poverty, data systems
  - Medicaid – data exchange agreement with SSA