

MEMORANDUM

DEPARTMENT OF DEVELOPMENTAL SERVICES



FROM: DDS Bureau of Program Integrity
DATE: 10/10/2024
SUBJECT: Guidance on Representative Payee Services in Shared Living

OVERVIEW:

This guidance is intended to assist all DDS providers who provide Shared Living Models in complying with Social Security Administration's Representative Payee Services requirements.

DISCLAIMER:

The below guidance is not legal advice. Providers should consult with their legal counsel for information on their obligations under the Social Security Administration regulations and its application to their individual facts and circumstances.

GUIDANCE:

Representative Payee Services

Pursuant to the Shared Living-24 RFR when Representative Payee Services are provided in a Shared Living Model

2.11 Financial Management Supports

The Shared Living provider is required to have a written procedure for implementing the Department's regulations and policies regarding individual funds and for maintaining financial accounts of such funds.

Representative Payee Services:

Shared Living providers must be willing to serve as corporate representative payee for individuals they serve should those individuals require such services and are unable to identify another representative payee or otherwise choose to name the Shared Living provider as their representative payee. Representative payee services provided to residents in Shared Living homes will not be reimbursed separately by DDS, and Shared Living providers may not bill or otherwise charge individuals for the service. A Shared Living provider providing this service must register as an organizational payee with the Social Security Administration (SSA) and complete all forms and accountings required by the SSA.

Representative Payee services may include:

- Handling all aspects of the individuals' bank accounts, bill payments, personal expenditures, deposits into savings accounts, and reconciliations
- Providing account balance and activity information to DDS
- Providing payee reports detailing income and expenditures to the Social Security Administration
- Serving as a representative on the individual's behalf with the banking community in all levels of account activity including the setting up and closing of individual bank accounts
- Setting up direct deposit transactions to ensure timely and secure financial transactions

- Assisting individuals with applying for / maintaining public benefits (e.g., SSI, SNAP, Section 8)
- Working with other providers, the MassHealth authorized representative, and/or family members concerning individual resources, MassHealth redeterminations and disability determinations.

Shared or Delegated Money Management Responsibilities:

When the Shared Living provider is the Representative Payee and/or staff or caregivers hold an individual's money and provide support in the use of their funds, there needs to be a shared and delegated money management plan for the money management responsibilities which includes a training plan to eliminate or reduce the need for assistance unless there is a clinical evaluation that the individual cannot learn how to manage or spend their funds. There needs to be agreement to the plan by the individual, guardian, or conservator. The plan needs to establish the personal spending money which can be managed by the individual and specify the Shared Living provider's responsibilities in its role.

In addition to the money management and training plan, the Shared Living provider must ensure the following per 115 CMR 5.10(3)(c):

- A record of every transaction, including date and amount received or disbursed must be kept
- Maintain receipts for any expenditures exceeding \$25
- Expenditures of individual's funds are made only for purposes that directly benefit the individual.

Commonly Asked Questions

- Q: Why is a Provider prohibited from billing DDS individuals when they provide this service?**
A: Providers already receive reimbursement for providing this service in the established Shared Living contract rate.
- Q: Is there a different rate for individuals on the ALTR contract depending on whether they receive Representative Payee Services from a provider?**
A: The Shared Living contract rate assumes the service in the rate even if the service is not being provided for all individuals in the Shared Living contract.
- Q: What if my agency has additional Representative Payee Service questions specific to SSA regulations?**
A: Providers should contact Social Security Administration directly or their legal counsel, for information about providing Representative Payee Services. Providers are encouraged to contact their Local Social Security Administration office with any questions the provider may have.

RESOURCES:

www.socialsecurity.gov/payee
<https://www.ssa.gov/locator/>

