

SOCIAL SECURITY ADMINISTRATION	SPECIAL DETERMINATION
	OFFICE
NAME OF WAGE EARNER OR SELF EMPLOYED PERSON John Q. P~, ~	SOCIAL SECURITY CLAIM NUMBER XXX-XX-XXXXA
NAME OF CLAIMANT (if other than wage earner) Jimmy S~, ~	RELATIONSHIP TO CLAIMANT Representative Payee

Overpayment Liability

On February 30, 2010, John Q. P~, ~ visited the Paris Field Office to report his release from the ABC penal institution and request benefits' reinstatement. After reviewing his record, it was established that SSA was never notified of his confinement consequently his benefit was never stop. Mr. P~, ~ indicated that during his confinement, he had contacted his payee Jimmy S~, ~ to inquire about his check and Mr. S~, ~ told him that SSA was no longer sending him checks due to his confinement. During the same visit (02/30/10), SSA informed Mr. P~, ~ of his overpayment of \$9580.00 due to erroneous payment continuation and explained the reporting responsibilities. Mr. P~, ~ stated that his payee had told him "everything was taking care of and he was no longer receiving any checks." Mr. P~, ~ requested the copy of the checks and demanded a "fraud investigation" to confirm that Mr. S~, ~ had cashed his checks. In addition, he stated that since he never received any benefits payments, he should not be responsible to repay the overpayment.

March 25, 2010 – Mr. P~, ~ returned to the FO today to inform us that he is unable to reach his payee and he has requested to be his own payee. The Service Representative completed the proper development to pay him directly. SSA has attempted several times to interview Mr. S~, ~ and to confirm that Mr. P~, ~ did not receive any money. However, he states that he does not remember anything about any checks and refuses to answer any questions over the phone or to come into the FO. We received the copy of the cashed checks and it contains Mr. S~, ~' signature.

April 1st 2010 – After further evaluation and many attempts to re-contact Mr. S~, ~, SSA has determined that: 1) Mr. S~, ~ did not follow his "payee responsibilities" to report Mr. P~, ~ confinement. 2) Mr. P~, ~ did not receive any money during his confinement and he relied on his payee to return the benefits' checks. 3) It is also determined that Mr. P~, ~ is not liable for the overpayment and 4) his payee (Mr. S~, ~) is solely responsible to repay the \$9580.00 OP. A separate "special determination" will be done to develop misused funds and fraud. FO will request the Payment Center to bill Mr. S~, ~ for the overpayment. Proper notes were entered in Debt Management for further development.

DETERMINATION MADE BY	DATE	APPROVED BY	DATE
CR's Name		Supervisor	
TITLE		TITLE	
<input type="checkbox"/> CLAIMS REPRESENTATIVE <input type="checkbox"/> CLAIMS EXAMINER <input type="checkbox"/> CLAIMS AUTHORIZER <input type="checkbox"/> OTHER (Specify)		<input type="checkbox"/> CLAIMS AUTHORIZER <input type="checkbox"/> CLAIMS EXAMINER <input type="checkbox"/> OTHER (Specify)	