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Intended Audience: All
RCs/ARCs/ADs/FOs/TSCs/PSCs/OCO/OCO-CSTs/OHO/OARO /WBDOC

Originating Office: ORDP OISP

Title: Effect of COVID-19-Related Financial Assistance on SSI Income and Resources

Type: EM - Emergency Messages

Program:

Link To Reference: See References at the end of this EM

SENSITIVE - NOT TO BE SHARED WITH THE PUBLIC

Retention Date: 10/08/2021

Summary of Changes:

This EM replaces a prior updated version issued on July 10, 2020. As the economic effects of the coronavirus pandemic continue, the Social Security Administration is deliberating how best to adhere to our policies and, at the same time, recognize the financial hardships of the public we serve. As deliberations continue, we are placing holds on certain workloads until a final decision on policy treatment is made. This revision provides information on the hold of unemployment compensation cases and certain aspects of Federal and State Economic Impact Payments (EIPs). More information on these workloads will be forthcoming, but in the interim, here is a brief summary of updates from the prior version:

Purpose: We added information regarding interim guidance to place holds on unemployment compensation cases and certain aspects of Federal and State Economic Impact payments.

Background: For EIPs, we added a table listing taxpayer and qualifying child payment amounts for each law that authorizes their payment. We also replaced the title, "Federal Pandemic Unemployment Compensation (FPUC) Benefits" with "Unemployment

Benefit Assistance.” We added information about the Consolidated Appropriations Act (CAA) and the American Rescue Plan (ARP) Acts and updated FPUC weekly benefit amounts for those Acts.

Subsection C: We added interim guidance, effective 5/1/2021, placing a hold on the resource development of any remaining balances from CARES Act EIPs.

Subsection D: We added a new subsection on State EIPs/State Stimulus Payments and provided interim guidance to place a hold on any State EIPs/State Stimulus Payments.

Subsection F: We added interim guidance placing a hold on initial claims and post-eligibility cases involving unemployment compensation. We removed a reminder to follow instructions in EM-20010 SEN REV 5 regarding adverse actions. We updated the subsection title to “Unemployment Benefit Assistance” from “Federal Pandemic Unemployment Compensation (FPUC) Benefits.” We also added information about Federal Emergency Management Agency’s (FEMA) Lost Wages Assistance program.

Subsection H: We *changed policy* and instructions on the SSI treatment of Coronavirus Relief Fund payments to Tribal governments. We also removed a reminder to follow instructions in EM-20010 SEN REV 5 regarding adverse actions.

Subsections I – J: We removed a reminder to follow instructions in EM-20010 SEN REV 5 regarding adverse actions.

A. Purpose

This emergency message (EM) provides guidance on the Supplemental Security Income (SSI) income and resource treatment of common types of assistance individuals may receive due to the COVID-19 pandemic. We will continue to update this EM with COVID-19-Related Financial Assistance. In this most recent edition, we provide interim guidance to place holds on unemployment compensation cases and certain aspects of

Federal and State EIPs.

B. Background

On March 27, 2020, the President signed into law the “Coronavirus Aid, Relief, and Economic Security Act” (CARES Act), Public Law 116-136. The CARES Act provided for several types of assistance due to COVID-19. On December 27, 2020, the President signed into law the “Consolidated Appropriations Act, 2021” (CAA), Public Law 116-260. The CAA provided extensions and additional funding to several of these pandemic assistance programs. On March 11, 2021, the President signed into law the “American Rescue Plan Act of 2021” (ARPA), Public law 117-2. The ARPA also provides extensions and additional funding to several of these pandemic assistance programs.

- **Economic Impact Payments (EIPs) (also known as Recovery Rebates)** – Emergency stimulus payments. Some taxpayers may receive less than the amounts in the table below (for example, if their adjusted gross income exceeds certain limits). “Taxpayers” for this purpose also includes Social Security and SSI beneficiaries who did not actually pay income taxes.

Legislation	Amount per Taxpayer	Amount for each Qualifying Child in the Household
CARES	\$1200	\$500
CAA	\$600	\$600
ARP	\$1400	\$1400

- **Higher Education Emergency Relief Fund (HEERF) Payments** – Emergency financial aid grants to students for expenses related to the disruption of school operations due to COVID-19.
- **Unemployment Benefit Assistance** – This includes Federal Pandemic Unemployment Compensation (FPUC) benefits, which provides emergency unemployment benefits of \$600 per week (CARES Act) and \$300 per week (CAA and ARPA) for qualifying individuals who are out of work because of the COVID-19 pandemic.
- **Wage and Leave Payments under the Paycheck**

Protection Program (PPP) – Small businesses affected by the pandemic are eligible to apply for forgivable PPP loans. These loans may enable employers to sustain payroll expenses for employees who might otherwise face reduced hours, temporary layoff, or job loss. Employees may benefit from their employer's PPP participation by receiving normal wage payments, paid time off or other leave, and continued health related benefits.

- **Coronavirus Relief Fund for Tribal Governments**

An emergency payment provided to Tribal governments navigating the impact of the COVID-19 outbreak. The Tribes are responsible for disbursing the funds to Tribal members and using the funds to assist their Tribal community with obtaining the critical resources needed to combat the virus.

Other types of COVID-19 assistance that individuals may receive, unrelated to the CARES Act, CAA, and ARPA, include:

- **Hazard Duty Pay / Premium Pay / Bonuses** – Some employers are offering pay increases or bonuses to their employees for work performed during COVID-19.

- **Paid Leave under the Families First Coronavirus Response Act (FFCRA)** – Effective April 1, 2020 through December 31, 2020, workers forced to be off work for certain COVID-19-related reasons may receive emergency paid sick leave or emergency paid family and medical leave under the FFCRA.

- **State EIPs/State Stimulus Payments** – Some states are issuing emergency stimulus payments to taxpayers and non-taxpayers based on state legislation.

This EM provides guidance on how to treat these COVID-19-related assistance payments for SSI income and resource purposes.

C. Federal Economic Impact Payments (EIPs) (also known as Recovery Rebates)

1. Policy

For SSI eligibility and payment determinations, EIPs received under the CARES Act, the CAA, or the ARPA

do not count as income. Treat EIPs as advanced tax credits, **and hold resource development on cases that have any remaining balances from CARES Act EIPs beginning 5/1/2021.**

IMPORTANT: Please use local Field Office workload controls to hold these cases in the interim.

2. Instructions

Income

Accept the individual's allegation regarding the receipt of any EIPs. Document the allegation in the SSI Claim system (i.e. DROC or Person Statement).

Resources

Develop and exclude the EIP from resources only when an individual alleges receiving and retaining an amount that may affect eligibility.

When development is needed, document the EIP according to the following:

- Accept the individual's allegation regarding any retained EIP amounts. Document the allegation in the SSI Claim system (i.e. DROC or Person Statement).
- For EIPs retained in financial institution accounts, document the SSI Claim system (i.e. DROC or Person Statement) with the individual's statement as to the date and amount of EIP-related deposits. **Hold resource determinations on cases that have any remaining balances from CARES Act EIPs beginning 5/1/2021. Please use local Field Office workload controls to hold these cases in the interim.** When EIPs are commingled with other countable funds in an account, always assume that non-excluded funds are withdrawn first, leaving as much of the excluded funds in the account as possible per [SI 01130.700](#).
- When readily available, bank records reflecting transaction details may also be used to document receipt and retention of EIPs.

Access to Financial Institutions (AFI) Considerations

AFI responses may include EIPs in first of the month balances. When processing initial claims or post-entitlement/eligibility events involving AFI verifications, pay special attention to months in which reported balances contribute to a determination of excess resources. Just as you would screen these months for early-deposited payments, tax returns, or any other excludable funds, you must now also consider retained EIP amounts as a potential exclusion subject to the instructions section above.

D. State Economic Impact Payments (EIPs) (also known as State Stimulus Payments)

Please hold and do **not** process any State EIPs/stimulus payments until further guidance is published.

IMPORTANT: Please use local FO workload controls to hold these cases in the interim.

E. Higher Education Emergency Relief Fund (HEERF) Payments

1. Policy

For SSI eligibility and payment determinations, HEERF payments received under the CARES Act do not count as income. Retained HEERF amounts are permanently excluded from resources.

2. Instructions

Accept the individual's allegation regarding HEERF assistance received. Document the allegation in the SSI Claim system following instructions in [SI 00830.620D](#).

Develop and exclude the HEERF assistance from resources only when an individual alleges receiving and retaining an amount that may affect eligibility, following instructions in [SI 01130.620B](#).

F. Unemployment Benefit Assistance

As of February 1, 2021, and continuing until new guidance is published, please hold and do not process any SSI post-eligibility unemployment compensation (UC) determinations. This includes, UC self-reports by recipients, any UC Redetermination and Limited Issue diaries (e.g., U5 diaries), and any UC information received from state/federal data exchanges. For initial claims, hold all UC development and continue to develop and adjudicate claims based on all other medical and non-medical eligibility factors. This includes payments received from the Federal Emergency Management Agency's (FEMA) Lost Wages Assistance (LWA) program. This 6-week program ran from August 8, 2020 through September 5, 2020.

IMPORTANT: Please use local FO workload controls to hold these cases in the interim.

NOTE: When a fraudster uses an SSI recipient's or deemor's name/SSN fraudulently to receive UC, follow instructions in [EM 21012 SEN](#) to exclude the UC. The hold described above does not apply to an individual who alleges being a victim of unemployment insurance fraud.

G. Continued Wage and Leave Payments under the Paycheck Protection Program (PPP)

1. Policy

Wage payments, paid time off or other leave, and continued health related benefits received by employees under the PPP follow normal income policy and are generally considered wages or a continuation of wages. See [SI 00820.005](#) for the treatment of sick pay.

2. Instructions

Follow existing instructions in [SI 00820.135](#), [SI 00820.140](#), and [SI 00820.143](#) to document wage information. Special documentation is not required for wage payments or paid leave attributable to PPP

loans.

H. Coronavirus Relief Fund for Tribal Governments

1. Policy

For SSI eligibility and payment determinations, payments from Tribal governments to Tribal members that are funded by the Coronavirus Relief Fund established by the CARES Act do not count as income and resources. Retained payment amounts are excluded permanently from resources.

2. Instructions

For such payments that were received since March 27, 2020s, accept the individual's allegation regarding payment(s) received and take action to exclude the payment(s) from unearned income. Document the allegation in the SSI Claims system following instructions in

[SI 00830.620D](#).

Develop and exclude the payment(s) from resources only when an individual alleges receiving and retaining an amount that may affect eligibility, following instructions in [SI 01130.620B](#). Document the Tribal payment(s) as Disaster Assistance and list the "type of excludable assistance" as "Presidentially declared" (see [MS 08114.014](#)).

3. Instructions for Correcting Counted Payments

Some previously reported Tribal payment(s) paid since March 27, 2020, that were funded by the COVID Relief Fund, may have been counted as unearned income and resources. In those situations, an individual does not have to file an appeal. Technicians must take action to exclude the payment(s).

If the payment was previously counted as unearned income or a resource for SSI purposes, remove the Tribal payment(s) from countable income and resources and document this type of payment under Disaster Assistance. List the "type of excludable assistance" as "Presidentially declared" (see [MS 08114.014](#)). Accept the individual's allegation regarding payment(s) received.

I. Hazard Duty Pay / Premium Pay / Bonuses

1. Policy

For SSI eligibility and payment determinations, hazard pay and other premium wage payments due to the pandemic are subject to normal SSI income counting rules and treated as wages. For the treatment of such payments in making SGA determinations, see [AM-20016](#).

2. Instructions

Follow existing instructions in [SI 00820.135](#), [SI 00820.140](#), and [SI 00820.143](#) to document wage information.

J. Paid Leave under the Families First Coronavirus Response Act (FFCRA)

1. Policy

Emergency sick leave or family leave paid under the FFCRA by the employer or by a third party (i.e. insurance company) based solely on the employer's contributions is considered wages.

2. Instructions

Follow existing instructions in [SI 00820.005](#) to document emergency paid sick leave or emergency paid family leave received under the FFCRA.

Direct all program-related and technical questions to your Regional Office (RO) support staff or Program Service Center (PSC) Operations Analysis (OA) staff. RO support staff or PSC OA staff may refer questions, concerns or problems to their Central Office contacts.

K. References

[AM-20016](#) Policies and Procedures for Determining Countable Earnings for Substantial Gainful Activity (SGA) Decisions

[EM-20010 SEN REV 7](#) Disaster Procedures – COVID-19 Pandemic – One Time Instruction

[EM-21012 SEN](#) Handling SSI and Medicare Part D Extra Help Low-Income Subsidy (LIS) Inquiries when a Claimant Alleges to be a Victim of Unemployment Insurance Fraud

[SI 00820.005](#) Sick Pay

[SI 00820.135](#) Wage Verification and Reported Wages Over \$65 per Month

[SI 00820.140](#) Wage Verification - \$65 or Less

[SI 00820.143](#) Monthly Wage Reporting

[SI 00830.005](#) General Rules for Developing Unearned Income

[SI 00830.010](#) When to Count Unearned Income

[SI 00830.060](#) Federal Tax Refunds and Advanced Tax Credits for SSI Income Purposes

[SI 00830.175](#) Assistance Based on Need (ABON)

[SI 00830.230](#) Unemployment Insurance Benefits

[SI 00830.620](#) Disaster Assistance - Presidentially-Declared Disaster

[SI 01110.001](#) Role of Resources

[SI 01110.100](#) Distinction Between Assets and Resources

[SI 01110.600](#) First-of-the-Month (FOM) Rule for Making Resource Determinations

[SI 01120.005](#) Distinguishing Resources from Income

[SI 01130.620](#) Disaster Assistance

[SI 01130.676](#) Federal Tax Refunds and Advanced Tax Credits for SSI Resources

[SI 01130.700](#) Identifying Excluded Funds That Have Been Commingled With Nonexcluded Funds

[SI 01140.010](#) Resource Verification

[SI 01140.200](#) Checking and Savings Accounts

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