

SOCIAL SECURITY BENEFITS FOR CHILDREN IN FOSTER CARE.

If a child enters OCS custody with Social Security benefits, or is determined to be eligible for Social Security benefits while in OCS custody, in most cases OCS will apply to be that child's representative payee. Federal law requires most minor children to have a representative payee to manage their Social Security benefits. The amount of this benefit is determined by the Social Security Administration (SSA) and may be up to \$2,000 per month, depending on the program. This money is intended to be used to meet the basic day-to-day and current needs of the minor. Provided that eligibility continues, this benefit could continue until the minor achieves 18 years of age. Some youth may then be eligible for adult benefits.

The SSA, not OCS, has sole discretion to appoint the representative payee for a minor. Social Security law and regulations govern how payees use the funds, which are restricted to certain authorized purposes. When OCS serves as the representative payee for a child in a paid foster care placement, it normally uses the benefits to reimburse itself for the cost of foster care payments made by OCS on behalf of the child. Foster care payments cover such necessities as food, shelter and clothing. A representative payee who is appointed instead of OCS would not be required to use the minor's Social Security benefits to reimburse OCS for the cost of foster care payments, but could use the money for other authorized purposes for the benefit of the minor, such as paying for *additional* clothing, recreation, and personal comfort items. If someone other than OCS is appointed by the SSA as the minor's representative payee, OCS will continue to make foster care payments for the child from State funds.

Anyone can apply to become a representative payee for a social security beneficiary, although the SSA does have preference priorities and exclusions. An adult or entity must file the application to be a representative payee—a minor cannot apply for someone else to become his or her representative payee. Additional information on representative payees is available on the SSA's website at www.ssa.gov/payee/.

An adult interested in being appointed as representative payee for the minor must complete an SSA-11 form and contact the nearest Social Security Office. The form is available online at <https://www.ssdfacts.com/forms/SSA-11-BK.pdf>. An applicant must provide the SSA identification documents and his or her social security number.

The person appointed by the SSA to act as the child's representative payee must also comply with all federal regulations which include, but are not limited to, the following:

- Report all changes or events which could affect the minor's eligibility for payments; this includes all changes to the minor's placement, legal custody

status, employment, education, and medical status;

- Keep detailed records of all payments received and how they are spent;
- Report to SSA any changes that would affect the representative payee's performance or continued service as payee;
- Complete and submit accounting reports for use of payments to the SSA;
- Cooperate with all disability reviews as appropriate which includes maintaining all documentation regarding the minor's medical treatment, prescription information, special education, counseling and/or therapy;
- Refund the SSA for all overpayments received on behalf of the beneficiary;
- Return to SSA all payments to which the beneficiary is not entitled; and
- Return to SSA all unspent dollars after completing service as the representative payee for the beneficiary.

The SSA will review representative payee applications and select the applicant they feel is best suited to serve as the minor's payee.

If you have questions about the representative payee program you may visit the Social Security Administration webpage at www.socialsecurity.gov or call 1-800-772-1213. You may also contact the Social Security office nearest to you:

Juneau:	Anchorage	Fairbanks
Room 231	Room A11	Room 138
709 W 9th St.	222 W 8th Ave.	101 12th Ave.
Juneau, AK 99802	Anchorage, AK 99513	Fairbanks, AK 99701
1-800-478-7124	1-866-772-3081	1-800-478-0391

You may also contact the lawyers handling the lawsuit that lead to this notice (www.njp-law.com or njp@njp-law.com) or Facing Foster Care of Alaska (www.ffcalaska.org or facing_fostercare@yahoo.com).