

COMMITTEE ON WAYS AND MEANS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, DC 20515

February 5, 2018

Nancy Berryhill
Acting Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235

Dear Acting Commissioner Berryhill:

The attached document outlines the Committee's understanding and legislative intent of H.R. 4547, the *Strengthening Protections for Social Security Beneficiaries Act of 2018*, in lieu of a Committee Report from the Committee on Ways and Means. We ask that you make this letter and attached document publicly available on the agency's website.

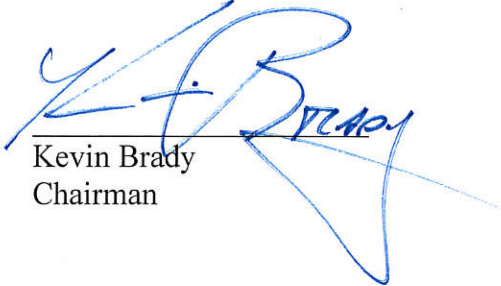
In 1939, Congress first authorized the Social Security Administration (SSA) to make benefit payments to another person or organization – called a representative payee – in cases where a beneficiary is not capable of managing their own benefits. Reports from government watchdogs and stakeholders have raised repeated concerns about how the SSA administers the representative payee program. H.R. 4547 takes important steps to address these concerns.

Over time, the SSA's payee monitoring program has strengthened, adding both statutory and discretionary on-site reviews to oversee payee performance, and leveraging predictive models to focus additional reviews on the highest-risk payees. Most payees also file an annual report of how the benefits were used, but it has become clear that the accounting form is not an effective protection, with little misuse identified from the submissions. H.R. 4547 builds on the current framework by requiring additional on-site reviews and improving the effectiveness of reviews by requiring state Protection and Advocacy systems to conduct the reviews on behalf of the SSA. We expect this legislation will allow the SSA to greatly expand reviews of payees and better focus oversight on the highest-risk payees, while eliminating the burden of the accounting form for certain family members, who will remain subject to review under the predictive models.


In addition to strengthening oversight, H.R. 4547 takes important steps to address the serious shortcomings with payee selection. This bill makes sure that individuals with significant felony convictions and those who have a payee themselves cannot serve as payees. The bill also allows beneficiaries to designate their preferred payee in advance and requires the SSA to assess the appropriateness of the order-of-preference list it uses to select payees, particularly in cases where there is a change in payee.

By strengthening oversight of payees as well as the safeguards around who may serve as a payee, these commonsense provisions in H.R. 4547 make much-needed improvements to the representative payee program to protect vulnerable beneficiaries.


Sincerely,



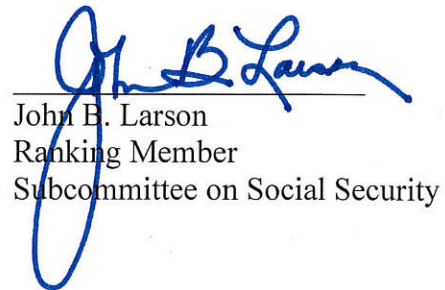
Kevin Brady
Chairman



Richard E. Neal
Ranking Member



Sam Johnson
Chairman
Subcommittee on Social Security



John B. Larson
Ranking Member
Subcommittee on Social Security

Attachment:

Legislative History and Technical Explanation of H.R. 4547, the Strengthening Protections for Social Security Beneficiaries Act of 2018