**Case Manager Guidelines/Requirements**

**Introduction**

As an Organizational Payee, the Office of the Public Guardian as a designated representative payee is appointed by the Social Security Administration (SSA) to receive Social Security and/or SSI benefits for an individual who cannot manage or direct someone else to manage his or her money. Our main responsibilities are to use the client’s benefits to pay for their current and foreseeable needs or accumulated for specific and foreseeable purposes advantageous to the client or saved and invested for the client providing that the current needs are being met. As a payee, we are required to keep records of expenses as well as provide an annual accounting to SSA of how the client’s benefits were used or saved.

**Eligibility Criteria**

1. All applicants of the Office of the Public Guardian, Public Representative Payee Program must have a case manager affiliated with a public agency or non-profit organization who is both willing and capable of preparing a monthly budget for the applicant and remaining responsible for case management services and distribution of the funds of the applicant.
2. Before contacting the Office of the Public Guardian, Public Representative Payee Program to apply for services, the case manager must have attempted to search for an alternative payee (family, friend or other organizational payee). The Office of the Public Guardian, Public Representative Payee Program is the payee of last resort.
3. All of the applicant’s income must be through public entitlements, public benefits, or other stable, ongoing sources that permit receipt, management, and distribution by a representative payee (i.e.: SSDI, SSI, VA, etc.).
4. Evidence must be submitted with the initial application showing that there is no other appropriate individual who is both willing and able to act in the applicant’s best interest. The Office of the Public Guardian, Public Representative Payee Program is considered the last resort in the order of preference when making application in being selected as a payee.
5. No applicant of the Office of the Public Guardian, Public Representative Payee Program shall be allowed to own or operate any type of a motorized vehicle.
6. No applicant of the Office of the Public Guardian, Public Representative Payee Program shall be allowed to maintain a private bank account of any type. If the client holds a bank account, the account must be closed “after” our office receives their first SSA check and the balance of the account must be sent to our office.
7. Applicants must be willing to have all utility and miscellaneous monthly bills mailed directly to our office for payment. They should be addressed as follows:

(Client Name)

c/o: Office of the Public Guardian

Public Representative Payee Program

PO Box 1489

San Luis Obispo, CA 93406

# **Responsibilities of Case Manager**

All individuals assigned by the Social Security Administration to have the Office of the Public Guardian, Public Representative Payee Program provide services as a representative payee, must have an assigned case manager. As the case manager, you must keep us informed, as required by the Social Security Administration, if the client moves, marries, becomes employed, becomes incarcerated, or dies. Your primary responsibility is to remain informed of the client’s current needs regarding their housing and personal and miscellaneous needs. These are top priority for payment from the client’s account.

It is the case manager’s responsibility to supervise all activities of their client to make sure that their needs are being provided for properly.

Under no circumstances is the case manager to ever refer a client, either by telephone or in person, directly to the Office of the Public Guardian, Public Representative Payee Program. All contacts with the Office of the Public Guardian, Public Representative Payee Program are to be made solely through the case manager.

Case managers must notify the Office of the Public Guardian, Public Representative Payee Program if your client becomes a holder of a checking, savings, or other bank accounts, stocks, bonds, CD’s or other assets, insurance policies or burial contracts.

If your client is employed, you must provide us with their pay check stubs on a monthly basis. We are required to report these wages to the Social Security Administration. If pay check stubs are not reported, your client will end up with an overpayment; their funds may be reduced or stopped.

**Full Entitlement**

As defined by the Social Security Administration, “full entitlement” is when a beneficiary is allowed to have the full amount of his/her benefits check(s) paid directly to him/her.

No client of the Office of the Public Guardian, Public Representative Payee Program shall receive full entitlement of their benefit checks while receiving services under this program, unless he/she is on a probationary period to determine whether he/she is again capable of managing his/her own funds.

If a case manager determines that a client is again capable of handling their funds, the case manager may make a written request to the Office of the Public Guardian, Public Representative Payee Program requesting a three-month trial period to determine if, indeed, the client is again able to manage his/her own funds. No client may receive full entitlement for more than three months on this program.

If a case manager requests that a client be placed on a probationary period to receive full entitlement, a new monthly budget with updated information must be submitted to the Office of the Public Guardian, Public Representative Payee Program. The office staff will notify the case manager if the request for full entitlement is denied and for what reason.

Prior to the end of the third month of the probationary period of full entitlement, the case manager must send either an updated monthly budget form reflecting that his/her client is still in need of assistance, or a written notice that the client is again able to manage his/her own funds and has applied to be named as his/her own payee.

If the Office of the Public Guardian, Public Representative Payee Program has not received an updated monthly budget form or a written notice that the client has been successful and is again able to manage his/her own funds by the 25th of the third month of the probationary period, the client will be terminated from the program.

**Necessary Forms**

1. **Budget and Budget Change:** The case manager is responsible for providing the initial monthly budget as well as any changes to the monthly budget. For example, if a client moves out of independent living and moves into a licensed board and care facility, the client’s income, rent and personal needs will all change. (See enclosed sample Budget Form). Please Note: If client lives in a Transitions-Mental Health Association (TMHA) residence, please indicate which billing code should be used, i.e. FSP, THH, ATP, CH, etc.
2. **Money Request**: This form is required for every money disbursement. NO PAPER – NO PAY! is our office policy. The completed Money Request Form must be received by our office no later than 4:00 p.m. on Tuesdays. Checks are issued every Wednesday and mailed on Thursdays through the U.S. Postal Service or interoffice mail. If Wednesday or Thursday lands on a holiday, the check will be mailed the following business day. There may be rare occasions in which a check needs to be issued prior to Wednesday. On those occasions, arrangements must be made with the Office of the Public Guardian, Public Representative Payee Program staff.

Receipts are mandatory for all funds issued other than normal weekly personal needs checks. If receipts are not received, no additional funds will be issued until the mandatory receipt(s) have been submitted.

1. **Change of Address**: If the client moves or changes his/her type of living arrangement (i.e. Board & Care to a Room with Board, or Independent Living, or Incarceration), the case manager must notify the Office of the Public Guardian, Public Representative Payee Program staff as soon as the changes are known. The staff will notify the Social Security Administration of the address change. Changes in living arrangements often affect the amount of Social Security Income (SSI) to the client. If a change is taking place on or about the first of the month, please call the office and inform staff of the pending change. Rental and other payments are set up to be automatically disbursed from a client’s account on the first of the month. Without notice of a change, obtaining a rent refund from a landlord, etc., may be difficult in such a short period of time. Thus, the client is then short of funds to pay the monthly rent for their new residence.

**Check Disbursements**

The office mails each client’s weekly PN (Personal Needs) checks on Mondays. If Monday lands on a holiday, PN checks go out on Tuesday. We mail rent and all monthly checks that are issued between the sixth and the tenth of every month.

If checks cannot be mailed to a client, the case manager must make other arrangements with the Office of the Public Guardian, Public Representative Payee Program staff. Our policy is that a case manager and/or client may not come to our office to pick up a check.

**“Over Property”**

If a client’s account balance accumulates over $2000, this is considered to be “over property” by the Social Security Administration and Medi-Cal guidelines. Any client over the $2000 limit and who is receiving Medi-Cal benefits has to be spent down before the last day of each month. The Office of the Public Guardian, Public Representative Payee Program staff will notify the case manager if the client is “over property”, and work with the case manager in determining how the client should spend down his/her account balance.

**Termination**

The following factors are likely to cause the client to be issued a Letter of Warning or be or be terminated from the program:

1. If the case manager believes his/her client is again capable of managing his/her own funds. The client will need to contact the Social Security Administration for an appointment with a claims specialist. The local Social Security Administration Office can be reached at 1-855-207-4865.
2. A higher order of preference representative payee becomes available for the client.
3. The client is in a state hospital for over six months.
4. The client is in a jail for over sixty days.
5. The case manager is unable to maintain continued awareness of his/her client’s needs and condition.
6. The client moves out of the county.
7. The client rejects, by word or action, case management services for a period of over two months. The client’s actions must be to such degree that the case manager is unable to adequately perform the responsibilities as required by the Office of the Public Guardian, Public Representative Payee Program as set forth in this manual.
8. The client’s family or friends interfere with the management of the case to the extent that the client’s needs cannot be properly monitored and/or met by the case manager.
9. The client has received full entitlement for at least three months and the case manager has not contacted the Office of the Public Guardian, Public Representative Payee Program staff to show that the client is still in need of assistance managing his/her funds.
10. The case manager is not fulfilling the responsibilities required of him or her.
11. The referring agency or organization fails to replace a case manager who has resigned or stepped down from his/her responsibilities.
12. Any client who contacts the Office of the Public Guardian, Public Representative Payee Program directly, either by telephone or in person, shall be subject to termination from the program. Contact is to be made solely by the case manager.
13. The client opens a bank account, or we discover the client purchased a motorized vehicle.
14. The client dies.

If the case manager would like to terminate the client from receiving services from the Office of the Public Guardian, Public Representative Payee Program, they must be notified in writing as soon as possible. Upon termination of services from the program, all saved funds will be returned to the Social Security Administration.

**Holding Funds at Termination**

If the client is terminated from receiving services from the Office of the Public Guardian, Public Representative Payee Program for any of the above reasons, all funds of the client remaining in the hands of the office shall be returned to the benefit sources or to a new representative payee. Any funds in the hands of the case manager at the time of termination of services must be immediately returned to the Office of the Public Guardian, Public Representative Payee Program for proper final disbursement.

# **Responsibilities of the Office of the Public Guardian, Public Representative Payee Program**

The Office of the Public Guardian, Public Representative Payee Program is responsible for the following:

* Processing of checks in a timely manner- income and expenses.
* Ensuring that client’s funds are disbursed in accordance with the Social Security Administration regulations, which establish shelter, food and clothing as priority client needs.
* Informing benefit sources of address changes, initiation and/or termination of program services, marriage, employment, incarceration and death.
* Keeping the case manager informed if client is “over property.”

**Note**: Please remember that failure to submit timely and necessary documentation may result in the delay of the client receiving appropriate disbursements.