

From: Justice in Aging <info@justiceinaging.org>

Sent: Monday, October 26, 2020 4:20 PM

To: Clarke Ross

Subject: Overpayment Waivers at the Social Security Administration During COVID-19

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

On Thursday, October 22, Senators Brown, Casey, and Wyden introduced the *Fairness to Seniors and People with Disabilities During COVID-19 Act* ([S. 4830](#)). This legislation would protect older adults and people with disabilities from being required to repay extra Social Security or SSI benefits they received from the Social Security Administration (SSA) due to the agency suspending certain work during the COVID-19 pandemic. It is the companion bill to [HR 7830](#), introduced in the House by Rep. Danny Davis.

If passed into law, it would require SSA to automatically waive all overpayments that occurred between March 1 and December 31, 2020, without requiring the overpaid individual to request a waiver, unless there was determination of fraud, similar fault, or misuse by a representative payee in causing the overpayment.

However, SSA has already [published an interim final rule](#) that sets up a “streamlined” waiver process for individuals who were overpaid between March 1 and September 30, 2020. This process requires the individual to contact SSA to request a waiver, even though SSA has already determined that the agency was at fault in causing the overpayment, and it would be “against equity and good conscience” to require the individual to repay the benefits.

Justice in Aging [submitted comments](#) in response to this rule, urging SSA to waive all COVID-related overpayments automatically, without requiring individuals to request waivers. We believe this is the most equitable and efficient method for handling overpayments during this pandemic period, and is the approach taken in the *Fairness for Seniors and People with Disabilities During COVID-19 Act*.

Today, Monday, October 26, is the **final day to submit comments to SSA** about the interim final rule.

Share This



Contact Us

Justice in Aging

(202) 289-6976

info@justiceinaging.org

[View as webpage](#)