

## Responses to Questions in the Q&A

### **Question: What should I do if an overpayment was wrongly identified and SSA refuses to accept their wrongdoing?**

You should carefully review the notice you received about the overpayment and identify information that is incorrect. For example, if the overpayment is due to earnings from work, did Social security use incorrect wage information? You have the right to dispute the fact and/or amount of the overpayment by filing an appeal of Social Security's decision and providing information on anything Social security got wrong. You have a time limit within which to file the appeal - 65 days from date on the notice. You can file the appeal online at - [Appeal a decision we made | SSA](#) or make an appointment at a Social Security office to file the appeal. Just make sure you can file the appeal on time. If you miss the deadline, you may have good cause for filing an appeal late. Good cause is generally a reason that might prevent a person from attending to important business. You can also file a Request for Waiver of the overpayment. [SSA-632-BK - Request for Waiver of Overpayment Recovery](#) A Request for Waiver is different from filing an appeal. There is no time limit within which to file the Request for Waiver. And, what you are asking for is to be excused from having to repay the overpayment. Generally, to be granted a waiver, you must show that you were not at fault in causing the overpayment, for example that you did everything you reasonably understood you were required to do and thought you remained eligible for payment. You may also have to show that you cannot afford to repay the overpayment and still meet your basic living needs.

### **Question: From my experience, SSA representatives all use last names like Mr.—, Mrs.—, Miss—and one day wo rep with the same last names. All Reps need all their work ID numbers instead of last names.**

Thank you for your comment. Until there is a change in the way Social Security staff identify themselves on the phone, it is always a good practice to keep a log of the date and time of calls with SSA, as well as notes about the conversation.

### **Question: Did you mention survivors benefits for adult children?**

We did not specifically mention Disabled Adult Child benefits. The Disabled Adult Child benefit is one of the dependent or survivor benefits paid on the Social Security wage record of a parent who has died with insured status for Social Security Insurance benefits or who is receiving Disability or Retirement Insurance benefits. To qualify for the Disabled Adult Child Benefit you must apply and provide evidence that you have met the adult disability standard continuously since at the least the day before turning age 22. After you become eligible for Disabled Adult Child benefits, the same work rules apply as apply to Social Security Disability Insurance benefits. Those are the rules we covered in the first set of

slides during the webinar - Social Security Disability Insurance: The Rules That Allow You to Try Work.

**Question: I just received early retirement from SSA after receiving SSI for 10 years plus. Does SSI mean you were disabled.**

To be eligible for SSI, you have to have low income and resources and be either 1) age 65 or older; or 2) under age 65 and meet Social Security's disability criteria.

I suspect you qualified for SSI some years ago because you met the disability criteria. Social Security usually takes applications for both SSI disability and Social Security Disability Insurance (SSDI) at the same time. You might have worked sufficiently in jobs on which Social Security FICA taxes were paid to have insured status for Social Security Retirement Insurance benefits. But you might not have worked in FICA covered work recently enough to the onset of your disability to qualify for Social Security Disability Insurance (SSDI). That would mean you qualified for SSI disability but not SSDI. However, the SSI rules require SSI recipients with insured status for Social Security Retirement Insurance to file for early retirement Social Security Insurance benefits when they reach age 62. This is because SSI is a needs-based benefit that pays last when you are eligible for other benefits, including Social Security Insurance benefits. This sounds like what might have happened in your case.