

STATEMENTS OF POLICY

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 6200]

Social Security Economic Recovery One-Time Payment

Scope

This statement of policy applies to the following:

- (1) County mental health and mental retardation administrators.
- (2) Supports coordination organization directors.
- (3) Administrative entity administrators or directors
- (4) Providers of community mental retardation residential Services under 55 Pa. Code Chapters 3800, 5310, 6400 and 6500.

Purpose

The purpose of this statement of policy is to provide direction regarding the 2009 one-time stimulus check of \$250 for individuals who receive Supplemental Security Income (SSI) or Social Security benefits.

Background

The American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5, 123 Stat. 115) (act) provides for a one-time payment of \$250 to disabled individuals, retirees and those who receive SSI from the Social Security Administration. Railroad retirement beneficiaries and disabled veterans who receive benefits from the Department of Veterans Affairs will also receive a stimulus check. According to the Internal Revenue Service (IRS), individuals will receive these payments from their respective agencies and not the IRS.

Discussion

Section 6200.3 (relating to definitions) states the following:

SSI maximum rate—The current maximum monthly Supplemental Security Income benefit rate.

Since the act provides for a one-time payment, the Department of Public Welfare has interpreted this one-time payment to be outside the scope of § 6200.3. Therefore, individuals residing within community residential homes licensed under Chapters 3800, 5310, 6400 and

6500 may keep the \$250 stimulus check for their own use. County mental health and mental retardation administrators, supports coordination organization directors, administrative entity administrators or directors and providers of community mental retardation residential services under Chapters 3800, 5310, 6400 and 6500 should not use the stimulus check payment to calculate an individual's room and board charges.

Regulation Interpretation

The regulation interpretation is contained in Annex A to this statement of policy.

Effective Date

This statement of policy is effective immediately upon publication in the *Pennsylvania Bulletin*.

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(Editor's Note: Title 55 of the *Pennsylvania Code* is amended by adding § 6200.3a to read as set forth in Annex A.)

Fiscal Note: 14-BUL-085. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 55. PUBLIC WELFARE

PART VIII. MENTAL RETARDATION MANUAL

Subpart C. ADMINISTRATION AND FISCAL MANAGEMENT

CHAPTER 6200. ROOM AND BOARD CHARGES

GENERAL PROVISIONS

§ 6200.3a. Social Security economic recovery one-time payment—statement of policy.

The definition of "SSI maximum rate" does not include the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) one-time \$250 payment.

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