

Center for Medicaid and State Operations/Survey and Certification Group

Ref: S&C-09-38

DATE: **May 15, 2009**

TO: State Survey Agency Directors

FROM: Director
Survey and Certification Group

SUBJECT: One-Time Cash Benefit to Nursing Home Residents

Memorandum Summary

- **One-time Cash Benefit:** The American Recovery and Reinvestment Act of 2009 (Recovery Act) provides for a one-time cash benefit of \$250 to certain eligible individuals who receive a Social Security benefit, Railroad Retirement pension, Veterans Administration disability pension, and Supplemental Security Income (SSI).
- **Effect on Nursing Home Residents:** Many nursing home residents will be eligible for the one-time cash benefit.
- **Purpose of Cash:** The money is for the resident's personal use and not to pay the facility for cost of care.
- **Expectation:** Facilities that receive the money directly on behalf of the resident must set the money aside in the resident's personal needs account.
- **Survey Issues:** Surveyors should be mindful of these payments and investigate any complaints regarding the protection, management, and access of resident personal funds under the appropriate F tags (F158-F162 and F224).

Background

The Recovery Act provides for a one-time cash benefit of \$250 to certain eligible individuals who receive a Social Security benefit, Railroad Retirement pension, Veterans Administration disability pension, and Supplemental Security Income (SSI). The payments will begin in May of 2009 and be distributed by check or electronic transfer to eligible beneficiaries by June 4, 2009. Many residents in nursing homes will be eligible for this cash benefit (although some who receive SSI benefits at a reduced rate may not be eligible).

Discussion

The Recovery Act's one-time cash benefit is for the residents to use as they choose. The money is not for the facility to pay for the cost of care. Residents will receive the benefit check in the same manner they receive their usual benefit checks (i.e., via mail or direct deposit to their bank account). For residents who have elected to have their money managed by the facility, the facility is obligated to set this benefit check aside in the residents' personal needs accounts. The residents can save or spend the money as they choose. The benefit check is not considered income and will not be counted as a resource for ten months, including the month the money was received, in calculating eligibility for benefits under any Federal program or any State program with Federal funding such as Medicaid. Therefore, residents who still have this money in March 2010 may become ineligible for Medicaid only if the benefit check causes them to exceed the resource limit beginning that month.

Surveyors should be mindful of this benefit check payment and investigate any complaints regarding the protection, management, and access of residents' personal funds under the appropriate F tags (F158-F162 and F224). Complaints regarding the receipt or access to the funds should be investigated in the same manner as other complaints regarding the mismanagement or misappropriation of resident funds are handled.

Additional information is available at <http://www.socialsecurity.gov/pubs/10519.pdf>
Residents who have questions about the payment unrelated to our requirements should be encouraged to call Social Security at 1-800-772-1213 or contact their Ombudsman for assistance.

Effective Date: Immediately. The SA should disseminate this information within 30 days of the date of this memorandum.

Training: This policy should be shared with all survey and certification staff, their managers and the State/RO training coordinator.

/s/
Thomas E. Hamilton

cc: Survey and Certification Regional Office Management