

# Managing Your Social Security or Supplemental Security Income Benefit

---



PROVIDING ACCESS TO JUSTICE FOR  
SENIORS, VETERANS, AND OTHER UNDERSERVED TEXANS

Many older Texans receive Social Security or Supplemental Security Income (SSI) every month. You may be in a nursing home or elsewhere and have trouble handling your benefit. But that does not mean you need a guardian. Instead, you or someone else can ask the Social Security Administration to appoint someone to help you handle your benefit. That person is called a Representative Payee. Your benefit can be sent to the Representative Payee, who will use it to pay your bills.

Having a Representative Payee is a good choice for some adults whose only income is from Social Security or SSI. It is not a good solution for people with more complicated financial situations.

## Do I have to be legally incompetent to get a Representative Payee?

No. But you must explain why it is difficult to handle your Social Security or SSI benefit.

## How do I ask for a Representative Payee?

You, or a relative, friend, or guardian can ask. You do not need to go to court. But you will have to fill out Social Security Form SSA-11-BK. Call Social Security at **1-800-772-1213**. The TTY number is **1-800-325-0778**. You will also have to give Social Security information from the past year that shows you are having trouble handling your affairs, like:

- Court documents (saying you are incompetent)
- A report from your doctor
- Statements from you, your family or other people who know you

Not all of those documents will be needed in every case. For instance, a court order is not needed in many instances. But if there is a court order stating that a Social Security or SSI recipient is incompetent, that will be important as Social Security decides whether to appoint a representative payee. If Social Security decides that you need a Representative Payee, they will appoint a one.

## Who can be my Representative Payee?

Your Representative Payee can be a person or an organization. Social Security will try to pick what is best for you. They give preference to certain people, starting with:

- Your guardian, spouse or other relative
- A friend
- A public or non-profit agency
- A private institution
- Anyone else who is qualified and willing to serve

## What if I am not happy with Social Security's decision?

If you disagree with Social Security's decision to appoint a Representative Payee for you, or you are not happy with the person appointed, you can appeal, by requesting "reconsideration."

### Information Not Legal Advice

This pamphlet is for information only and is not a substitute for the advice of an attorney.

## What will my Representative Payee do?

Your Representative Payee will receive your benefit each month and use it to:

- Pay for your needs like housing, clothes, food, medical care, nursing home or other needs
- Provide for your spouse, child and/or parent
- Pay your debts
- Make investments and savings for you

Your Representative must also:

- Keep careful records of how your money was spent
- File a written report with Social Security each year about your financial situation
- Tell Social Security about any changes in your situation that would affect your benefits
- Let Social Security know about any changes in his/her situation

## Can I get a new Representative Payee?

Yes, if your present Representative has:

- Used your money improperly,
- Not filed a report or cooperated with Social Security,
- Died, or
- Said he/she does not want to be your Representative anymore.

## What if I do not want a Representative Payee any more?

You must show Social Security you are able to handle your checks again. You must provide evidence like:

- A statement from your doctor
- Certified copy of a court order that says you are no longer incompetent
- Other evidence that says you can manage your affairs

## What if I receive benefits from other agencies?

Many other federal agencies, like Veterans Affairs, can also appoint a Representative Payee. Contact the agency where your benefit is from to find out more.

## Where can I get more information or help?

Your Texas Area Agency on Aging, by calling **(800) 252-9240**

Texas Law Help has useful information on many areas of the law. Go to [www.texaslawhelp.org](http://www.texaslawhelp.org).

## Legal Hotline for Texans: (800) 622-2520 or (512) 477-3950

Call our attorney-staffed legal hotline. Advice is free for Texans 60 and over or for anyone eligible for Medicare.