

CHAPTER 57
INTERIM ASSISTANCE REIMBURSEMENT

[Prior to 2/11/87, Human Services[498]]

441—57.1(249) Definitions.

“*Act*” means the Social Security Act.

“*Benefits*” are SSI benefits under Title XVI of the Act and any federally administered state supplementary assistance payments that are determined by the Social Security Administration to be due the individual at the time the SSI payment is made.

“*Commissioner*” means the Commissioner of the Social Security Administration or the Commissioner’s delegate.

“*County agency*” means a county or county subdivision under the jurisdiction of the county board of supervisors which furnishes relief in the form of cash or vendor payments to or in behalf of needy individuals in accordance with established standards under the provisions of Iowa Code chapter 35B or 252.

“*Initial payment*” means the amount of benefits determined by the Commissioner to be payable to an eligible individual (including any retroactive amounts) at the time the individual is first determined to be eligible under Title XVI of the Act. It does not include any emergency advance payments, any presumptive disability or blindness payments, or any immediate payments authorized under Section 1631 of the Act.

“*Initial posteligibility payment*” means the amount of benefits determined by the Commissioner to be payable to an eligible individual (including any retroactive amounts) at the time the individual is first determined eligible under Title XVI of the Act following a period of suspension or termination. This term does not include any emergency advance payments, any presumptive disability or blindness payments, or any immediate payments authorized under Section 1631 of the Act.

“*Interim assistance*” means assistance in the form of cash or vendor payments for meeting basic needs furnished by the county agency during the interim period. “Basic needs” includes food, clothing, shelter, medical care and services not covered by Medicaid, and other essentials of daily living. It does not include the county payment of social services costs associated with services during the interim period or medical care or services covered by Medicaid.

“*Interim period*” means the period (1) beginning with the month following the month in which the individual filed an application for SSI benefits, for which the individual was found to be eligible, and ending with (and including) the month the individual’s benefits began, or (2) beginning the day the person’s SSI benefits were reinstated after a period of suspension or termination, and ending with (and including) the month the individual’s SSI benefits were resumed. The interim period does not include any periods during which the individual is underpaid by the Social Security Administration due to that agency’s failure to make a timely modification of the individual’s SSI benefit or for any other reason.

“*SSI*” means supplemental security income for the aged, blind, and disabled which is a federal cash assistance program under Title XVI of the Social Security Act.

441—57.2(249) Requirements for reimbursement. The county agency must have a written agreement with the department of human services in order to receive reimbursement for interim assistance payments. The agreement must be on Form 470-1948, Interim Assistance Reimbursement Agreement, or Form 470-3857, Interim Assistance Reimbursement Agreement (Veterans Affairs). This agreement will provide that:

57.2(1) The county agency will secure written authorization from the individual for the Commissioner to withhold the individual's initial payment or initial posteligibility payment and make these payments payable to the county agency using Form 470-1950, Initial Interim Assistance Reimbursement Authorization, or Form 470-2551, Posteligibility Interim Assistance Reimbursement Authorization. The individual shall also use these forms to indicate intent to apply for SSI benefits. The county agencies are designated by the Commissioner to accept these forms which protect the individual's filing date for SSI benefits.

57.2(2) Interim assistance must be paid utilizing the same standards used for other recipients provided assistance by that county agency.

57.2(3) The county agency will pay to the individual within ten days from the date it receives reimbursement any interim assistance reimbursement it received in excess of the interim assistance the county furnished to or on behalf of the individual.

57.2(4) The county agency will provide the individual with a written explanation of the apportionment on Form 470-1949, Interim Assistance Notice of Apportionment, showing the amount of the payment received by the county agency from the Social Security Administration, the amount retained by the county agency for reimbursement and the excess amount, if any, due the individual and provide the individual with the right to a hearing before the county board of supervisors or the county commission of veterans affairs on disputes arising from the apportionment of the payment.

57.2(5) The county agency shall maintain a file for each individual who has received interim assistance and maintain adequate records of all transactions made relating to interim assistance and the apportionment of the individual's initial payment. The following records shall be maintained for each individual:

- a. *Identification.* Name, social security number, address, telephone number.
- b. *Assistance furnished.* Date paid, amount of payment, to whom paid, needs covered by the payment, county warrant number.
- c. *Reimbursement check.* Date received from the Social Security Administration, amount of the check, amount withheld as reimbursement, amount paid to the individual, county warrant number, date paid to the individual.
- d. *Disputes.* Date received, issue, action taken, resolution.
- e. *Documentation.* Copy of authorization form executed by the individual, apportionment document received by the Social Security Administration, notice of apportionment forwarded to the individual, all pertinent correspondence to and from the individual, copy of SSI award notice, correspondence related to vendor payments made.

Records shall be maintained for a period of five years subsequent to the date of receipt by the county agency of interim assistance reimbursement and shall be available to the department of human services or the Social Security Administration on request.

57.2(6) The county agency must comply with the provisions of 45 CFR 205.50 relating to the safeguarding of information concerning individuals to whom payment of excess interim assistance reimbursement is made pursuant to subrules 57.2(2) and 57.2(3).

57.2(7) The county agency shall submit to the department of human services such reports as the department may need to comply with requirements of the Social Security Administration in the form and at times prescribed by the department.

57.2(8) The county agency or the department of human services may terminate the agreement at any time upon 30 days' written notice to the other party. If the agreement is terminated by either party, the department of human services and the county agency agree that all cases for which the county agency has obtained Form 470-1950, Initial Interim Assistance Reimbursement Authorization, or Form 470-2551, Posteligibility Interim Assistance Reimbursement Authorization, shall be processed by the county agency in accordance with the agreement.

57.2(9) The agreement shall begin on a date mutually satisfactory to the department of human services and the county agency. It will extend for a period of 12 months from that date at which time it will be automatically renewed for successive periods of 12 months thereafter unless the county agency or the department of human services gives written notice not to renew at least 30 days before the end of the current period.

441—57.3(249) Audits by the department of human services. The department of human services will make periodic audits of the interim assistance records of county agencies in order to determine compliance on the part of the county agency with its agreement with the department, and compliance with the department's rules and regulations.

57.3(1) Such audits will include but will not necessarily be limited to an examination of the following:

a. That records are currently and adequately maintained in accordance with the provisions of subrule 57.2(4).

b. That interim assistance reimbursement payments made to the county agency by the Social Security Administration were correctly apportioned and that the county's records of interim assistance disbursements made to or on behalf of the individual support the apportionment made of the interim assistance reimbursement payment.

57.3(2) If an audit by the department or an examination by the Social Security Administration indicates corrective action by the county agency is necessary, the county agency will be so notified by the department and any corrective payment due the individual will be made within a period of ten days from the receipt of such notification by the county agency.

441—57.4(249) Independent audits. If a reimbursement dispute arises between a county and the federal Social Security Administration, the county shall pay for an independent audit.

The audit shall be conducted by a certified public accountant appointed by the county. A copy of the findings of the audit shall be provided the department by the certified public accountant.

441—57.5(249) Withholding of funds. If the Social Security Administration establishes a claim against a county and withholds funds from the state or directs the department to pay the claim to a recipient of federal supplemental security income, the department shall withhold from other funds due the county from the department the amount of the claim.

441—57.6(249) Notice of interim assistance reimbursement eligibility and accountability. The Social Security Administration will forward to the county Form SSA-8125, Supplemental Security Income Notice of Interim Assistance Reimbursement, indicating the disposition of the individual's SSI claim (i.e., denial or allowance). This form also provides the county agency with a method of accounting on an individual case basis for the disposition of interim assistance reimbursement funds received from the Social Security Administration. The county agency will receive Form SSA-8125 on every case where the individual has signed an interim assistance authorization and the authorization is processed by the Social Security Administration prior to a final determination on SSI eligibility.

441—57.7(249) Certificate of authority. The county agency shall submit the name, title, and signature of each official of the county agency authorized to sign the Supplemental Security Income Notice of Interim Assistance Reimbursement, Form SSA-8125, on the Certificate of Authority, Form 470-1947, to the regional office of the department. Form 470-1947 shall be submitted prior to the date the agency first participates in the program and subsequently when changes in authorized officials occur.

These rules are intended to implement 1984 Iowa Acts, chapter 1310, section 9.

[Filed without Notice 9/7/84—published 9/26/84, effective 11/1/84]

[Filed 11/16/84, Notice 9/26/84—published 12/5/84, effective 2/1/85]

[Filed 9/26/86, Notice 8/13/86—published 10/22/86, effective 12/1/86]

[Filed emergency 1/15/87—published 2/11/87, effective 1/15/87]

[Filed emergency 1/12/89—published 2/8/89, effective 1/12/89]

[Filed 3/15/89, Notice 2/8/89—published 4/5/89, effective 6/1/89]

[Filed without Notice 9/18/91—published 10/16/91, effective 11/21/91]

[Filed emergency 10/10/91—published 10/30/91, effective 11/21/91]

[Filed 1/29/92, Notice 10/16/91—published 2/19/92, effective 3/25/92]

[Filed 4/14/94, Notice 2/16/94—published 5/11/94, effective 7/1/94]

[Filed 10/10/01, Notice 8/22/01—published 10/31/01, effective 1/1/02]