

CHAPTER 23
REPRESENTATIVE PAYEE PROGRAM (RPP) AND BILL PAYER PROGRAM (BPP)

321—23.1(231) General rule. The department shall operate a representative payee program (RPP) and a bill payer program (BPP) in cooperation with appropriate agencies such as the American Association of Retired Persons (AARP), area agencies on aging (AAA), the Social Security Administration (SSA), Department of Veterans Affairs (VA), Office of Personnel Management (OPM), Railroad Retirement Board (RRB) and the Iowa department of human services (DHS).

23.1(1) Purpose and definitions. The RPP and BPP are designed to preserve the most independence and decision-making power for individuals, while ensuring that the persons' basic needs continue to be met. In the absence of family or friends to help manage their finances, assistance is provided by volunteer representative payees or bill payers.

a. The representative payee program provides financial management services for individuals who, at least temporarily, are unable to manage their federal government benefit funds. The representative payees are recruited, trained and monitored by the department in partnership with AARP.

b. The bill payer program provides financial assistance services for individuals who are in charge of their own financial affairs but need assistance in organizing monthly income and expenditures. The bill payers are recruited and trained by the department in partnership with AARP while actual monitoring of the bill payer program is handled by the sponsoring agency with oversight by the department.

23.1(2) Definitions. Unless otherwise prescribed by federal and state regulations, the terms used in this chapter shall have the following meanings:

"American Association of Retired Persons (AARP)" means a nonprofit, nonpartisan organization of older persons, aged 50 and older, dedicated to addressing their needs and interests.

"Bill payer" means a trained volunteer who serves clients with limited incomes who are still in charge of their own financial affairs but who need some help organizing their bills and checkbooks. A bill payer assists the client in organizing monthly income and expenditures, writes checks for the client's signature and assists the client with paperwork related to bill paying.

"Bill payer client" means an individual with limited income and resources who is capable of managing the individual's own money but needs some assistance and accepts a bill payer volunteer to assist in organizing monthly income and expenditures.

"Department" means the Iowa department of elder affairs.

"Department of Veterans Affairs" means the federal agency providing for the health, social, retirement and death benefits for a veteran or veteran's family as a result of the veteran's service in the Armed Services of the United States, formerly known as Veterans Administration.

"Federal government benefit funds" means funds received, generally monthly, by an individual from federal agencies.

"Financial management services" for the representative payee program means temporary or ongoing assistance to an individual with receipt, disbursement and record keeping of monthly federal government benefit funds in order that the individual retains as high a level as possible of independent decision making. Financial management services for the bill payer program means ongoing or temporary assistance to an individual who may need assistance with one or more of the following: organizing bills for payment, balancing checkbooks, listing monthly income and expenses, and writing checks from a designated account for client's signature.

“*Local program coordinator*” means the person in a local RPP or BPP who is appointed by the local advisory council to be responsible for basic operation of the local program including support and supervision of volunteers.

“*Office of Personnel Management*” means the federal agency administering a merit system for federal employment as the central personnel agency of the federal government.

“*Railroad Retirement Board*” means the federal agency which administers the Railroad Retirement Act providing retirement and disability annuities for qualified railroad employees, spouses and survivors.

“*Representative payee*” means a trained volunteer acting in a fiduciary capacity, who is appointed by a federal government agency to manage the federal government benefit checks of someone who is unable to manage these benefits. The appointed volunteer will manage the funds in the best interests of the client to ensure that the basic needs of the individual client are met.

“*Representative payee client*” means an individual who receives monthly federal government benefit funds, is judged to be at least temporarily unable to make responsible financial decisions due to physical or mental impairments, and who is appointed a representative payee volunteer to assist in the management of the client’s financial affairs relating to federal government benefits.

“*Social Security Administration (SSA)*” means a federal agency within the Department of Health and Human Services whose purpose is to administer the separate assistance programs for disabled, aged or blind recipients, and workers who participated in the social security insurance payment system during work years.

“*Sponsoring agency*” means the community agency which provides technical assistance and back-up support for the local program coordinator. This support includes, but is not limited to, coordinating information between the sponsoring agency and the applicable local, regional or state agencies; publicizing the program locally and implementing a client referral system; recruiting, selecting and supervising a local program coordinator; assisting in the screening and training of prospective volunteers; developing client eligibility criteria; organizing an advisory council and convening regular meetings with that advisory council; submitting quarterly reports to AARP; monitoring all bill payer client accounts on a regular basis; and evaluating the program annually.

321—23.2(231) Structure of the RPP program and BPP program.

23.2(1) *State program coordinator.* The department shall designate a staff person, the state program coordinator, who will, at a minimum, staff and assist in the formation of the state advisory council, develop and provide information to the public about the program, develop and provide training to volunteers, assist in the formation of local advisory councils, develop plans and procedures for the RPP and BPP in accordance with the requirements of Iowa Code sections 231.56 and 231.60 and in accordance with the memorandum of understanding with AARP.

23.2(2) State advisory council. The department shall establish and maintain a program advisory council whose membership may include representatives from, but is not limited to, the following:

- Social Security Administration (SSA)
- American Association of Retired Persons (AARP)
- Department of human services (DHS)
- Legal services corporation of Iowa (LSCI)
- Iowa state bar association
- Department of Veterans Affairs (VA)
- Iowa health care association
- Area agencies on aging
- Mental health associations
- Utility companies
- Banking associations

a. Structure. The chairperson shall lead advisory council meetings and shall be responsible for updating the council on recent activities, coordinate the activities of the council, and appoint committees to accomplish assigned tasks.

b. Meetings. The council shall meet at least quarterly and on other occasions as required to accomplish its responsibilities. The chairperson shall be responsible for notifying all members of the time and place of each meeting.

c. Activities of the state advisory council. The activities of the state advisory council shall include, but not be limited to:

(1) Reviewing and making recommendations on the rules, policies and procedures developed for the program;

(2) Providing a network of support, guidance and issue resolution for the program and its participants; and

(3) Acting as public liaison to inform the public and increase public awareness of the project.

23.2(3) Local advisory councils. The state program coordinator shall assist individual communities in establishing a local advisory council.

a. Council membership shall include, but not be limited to:

(1) A representative of the sponsoring agency;

(2) The volunteer coordinator;

(3) AAA representative;

(4) Local agencies;

(5) SSA;

(6) Local bank representative(s); and

(7) A legal service provider.

b. The advisory council shall:

(1) Establish its own meeting schedule and structure;

(2) Identify and support a sponsoring agency for each local program;

(3) Recruit and appoint a local program coordinator;

(4) Provide a local support network to local volunteers and coordinator(s);

(5) Communicate local program information and needs with the state program coordinator;

(6) Encourage local media coverage; and

(7) Assist local volunteer coordinator in developing and publicizing a client referral process.

23.2(4) *Sponsoring agency.* The sponsoring agency shall:

- a. Provide logistical support for the volunteer coordinator such as, but not limited to, office space and supplies, telephone and postage;
- b. Assist with recruitment and training of volunteers;
- c. Provide an interim volunteer coordinator in the absence of an existing coordinator until a new volunteer coordinator can be recruited;
- d. Adhere to the program policies of the department and AARP;
- e. Provide support for and oversee all components of the program at the local site;
- f. Serve as a link between the department, all applicable local agencies and the volunteers and clients;
- g. Develop a program budget and ensure its funding;
- h. Recruit, select and supervise the local program coordinator and, if the local program coordinator position becomes vacant, make appropriate arrangements so that clients continue to be served;
- i. Negotiate with a local bank to provide free banking services for the program to the extent possible;
- j. Develop and implement an ongoing client referral system including publicity of the program; and
- k. Organize and hold regular meetings with a local advisory council.

23.2(5) *Local program coordinator.* The program coordinator duties shall include, but not be limited to:

- a. Assist in recruiting payee volunteers;
- b. Assist in the presentation of training to volunteers;
- c. Receive and screen client referrals;
- d. Match client with appropriate volunteers;
- e. Maintain a close working relationship with referring agencies;
- f. Cooperate with department on volunteer recruitment and training;
- g. Supervise volunteers;
- h. Promote volunteer recognition;
- i. Assist sponsoring agency in negotiating with a local bank to provide free services for the program;
- j. Submit periodic written reports as requested;
- k. Serve as a link between sponsoring agency, department and all other program participants;
- l. Initiate and maintain outreach efforts;
- m. Serve as a staff person for the local advisory council;
- n. Arrange for the local monitoring of accounts for the bill payer program and cooperate with the department in the monitoring of representative payee accounts; and
- o. Participate in periodic program evaluation efforts by the department and AARP.

23.2(6) Volunteer representative payees and bill payers.

a. Recruitment, screening, and appointment of volunteer representative payees and bill payers. AARP, local and state advisory councils, sponsoring agencies, the local program coordinator and interested others shall recruit volunteers to act as representative payees and bill payers.

(1) The federal government agency providing the benefit funds shall be given names of potential volunteers by the local program coordinator to screen for representative payee duties.

(2) The local program coordinator shall be informed, and the federal government agency shall notify the individual who has been appointed as a volunteer representative payee.

b. Representative payee and bill payer training and assignment will be coordinated by the local program coordinator.

(1) Orientation to program and training concerning program goals and procedures shall be provided to each volunteer before assignment of a client.

(2) A client shall be assigned to the representative payee and bill payer according to standard procedures described in the program procedure manual.

(3) Client and representative payee and bill payer shall be provided the opportunity to evaluate their potential assignment.

(4) Activities of representative payees and bill payers shall be reported to the department as required by the program procedure manual.

23.2(7) Program clients. Clients are individuals identified as being persons who are unable to manage personal finances in a way that best enables them to meet their basic needs.

321—23.3(231) Appeal process for representative payee.

23.3(1) An RPP program client or the representative payee may appeal decisions that are made that could affect the receipt, use or management of benefits. The appeal is to be addressed to the federal government agency providing the benefits.

23.3(2) The request for reconsideration of the decision made by the agency shall be filed within the limitation of time identified by the agency.

23.3(3) The state program coordinator shall provide guidance concerning appeal procedures.

321—23.4(231) RPP and BPP procedure manuals.

23.4(1) RPP and BPP procedure manuals shall be developed and distributed by the department coordinating requirements of state and federal programs such as those described in the U.S. Department of Health and Human Services publication SSA No. 05-10076, April 1996, and SSA publication Claims Manual GN00600.000-GN00605.000, and the Department of Veterans Affairs publication Part III of M27-1 current as of June 16, 1995, as well as practices required by the state and local advisory committees, procedures contained in the bill payer and representative payee manuals, AARP, and volunteer coordinators.

23.4(2) At a minimum, the procedure manuals shall include:

a. Confidentiality requirements, as defined in 321—Chapter 19 and other state and federal regulations;

b. Bank procedures, including direct deposit, waiver of service charge, statements and other necessary and appropriate monitoring activities;

- c.* Accounting and reporting;
- d.* Appeal process;
- e.* Procedures on special events such as, but not limited to:
 - (1) Death of a client;
 - (2) Misuse or loss of funds;
 - (3) Revocation of volunteer assistance to client;
 - (4) Request for reassignment of client or volunteer;
 - (5) Temporary leave;
 - (6) Notification to creditors.

These rules are intended to implement Iowa Code sections 231.56 and 231.60.

[Filed 1/31/92, Notice 11/27/91—published 2/19/92, effective 3/25/92]

[Filed 3/16/98, Notice 12/17/97—published 4/8/98, effective 5/13/98]