



Monterey County Behavioral Health Policy and Procedure

Policy Number	435
Policy Title	Representative Payee Case Action
References	MONTEREY COUNTY BOARD OF SUPERVISORS
Form	NONE
Effective	OCTOBER 1, 1991

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POLICY

As the appointed Representative Payee of Monterey County Department of Health, Behavioral Health Division, the Adult Services Program, Representative Payee Services is responsible for implementing the money management plan, revising the plan as necessary with the participation of the client, and managing all financial aspects of the clients' account.

PROCEDURE

A. Initial Case Actions

Upon receipt of a Notice Of Action from the Social Security Administration that the Department of Health has been appointed as the Representative Payee, the Adult Services Behavioral Health Service Manager will assign the case to a Representative Payee Services staff and notify the Office of the Public Guardian of the assignment. The Office of the Public Guardian will establish a Representative Payee Account for the client and inform the Adult Services Program Patient Services Representative of the account number.

The Representative Payee shall meet with the client and develop a plan and budget to meet current needs. The budget will be documented on BHD Form, "Money Management Plan" and signed by the client, whenever possible.

B. Payment Process

The Representative Payee shall work with the client and with vendors to develop purchasing and payment plans to meet the client's current needs.

1. The Representative Payee shall negotiate arrangements with business firms to:
 - a. Send bills of the client to MCHD, Adult Services Program (see format);
 - b. Arrange to pay current charges.

32 c. Ascertain the extent of the past debts owed by the client. A Representative Payee is not
33 required to use SSA/SSI benefits to pay bills incurred by a client before the first month for
34 which benefits are to be paid to the Representative Payee. Current insurance premiums and
35 payments on realty in which the client has an interest may be paid if basic needs are being met.
36 In order to insure an income for current needs, SSA/SSI benefits are exempt from seizure by
37 creditors. Refer questions concerning payment of past debts to the local Social Security
38 liaison.

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40 2. Vendors are to send bills to Monterey County Department of Health, Representative Payee
41 Services, 1441 Constitution Blvd., Salinas, CA 93906, Attention: Representative Payee for
42 (Client's Name).

43
44 3. The Representative Payee shall send a letter to each vendor to confirm the payment plan.

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46 4. The Representative Payee is responsible for the authorization of payments on the clients'
47 behalf.

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49 a. BHD Pay-Out Request Forms will be completed by the Representative Payee and submitted
50 to the Adult Services Program Patient Services Representative for review of accuracy and
51 completeness before submission to the Principal Clerk, Office of the Public Guardian.

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53 b. Sales receipts, rental agreements, placement agreements, utility bills, etc., may be obtained
54 as supporting documentation for the budget development and payment processes.

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56 c. Authorization for standing payments may be made if the monthly or weekly amount is always
57 the same, and the vendor/payee is the same (e.g., monthly/weekly rent, monthly/weekly
58 personal needs, etc).

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60 d. If the monthly amount changes, a copy of the bill for the new amount shall be attached to a
61 new Pay-Out Request that is prepared by the Representative Payee and given to the Adult
62 Services Program Patient Services Representative for review before being sent to the Public
63 Guardian. A copy of the Pay-Out Request will remain in the Representative Payee Services
64 case file as supporting documentation.

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66 5. The Representative Payee is to complete the MCHD Pay-Out Request Forms to authorize
67 the actual disbursement of funds by the Office of the Public Guardian.

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69 a. The Representative Payee will complete and give Form MH- 53 (Gold) to the Adult Services
70 Program Patient Services Representative for review for accuracy and completeness. The Adult
71 Services Program Patient Services Representative shall submit Form MH-53 to the Principal
72 Clerk to direct the Office of the Public Guardian to make payments on a standing ongoing
73 monthly basis, to the same individual and/or provider each month, in the same amount each
74 month (e.g., monthly rental payment, monthly board and care payment, monthly personal
75 needs check to client, monthly installment payments). Completion of Form MH-53 will trigger
76 an ongoing monthly payment as instructed. The checks will be printed by the 6th or 7th day of
77 each month. In cases where rents are due before the 5th day of the month, checks will be
78 printed the last working day of the month, if funds are available.

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80 b. The Representative Payee will complete Form MH-47 (Green) and give to the Adult Services
81 Program Patient Services Representative for review of their accuracy and completeness. The
82 Adult Services Program Patient Services Representative shall submit Form MH-47 to the
83 Principal Clerk to direct the Office of the Public Guardian to make payments on an ongoing
84 weekly basis, to the same individual and/or provider each week, in the same amount each
85 week (e.g., weekly rental payments, weekly personal needs payments to client, weekly
86 installment payments etc.) Completion of Form MH-47 will trigger an ongoing weekly payment.
87 Changes must be submitted through the Adult Services Program Patient Services
88 representative to the Office of the Public Guardian by each Wednesday. Checks are printed
89 and mailed in the late afternoon every Thursday.

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91 c. The Representative Payee will complete Form MH-91 (Blue) and give to the Adult Services
92 Clerk for review for accuracy and completeness before submission to the Principal Clerk to
93 direct the Office of the Public Guardian to make all other payments on an individual basis, to
94 include, any ongoing monthly and/or weekly payments when the amount varies from the
95 previous and succeeding months (e.g., monthly utility bills), onetime payments, periodic
96 payments due at irregular times, emergency payments, etc. Completion of Form MH-91 will not
97 trigger ongoing payments. Checks are printed on Mondays, Wednesdays and Fridays only.
98 Form MH-91 can be submitted up to 12:00 noon on the afternoon of payment.

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100 d. If a portion of the bill is to be returned to the vendor with the payment, the Adult Services
101 Clerk will ensure that the Representative Payee attaches the payment stub to the authorization
102 Pay-Out Form when submitted to the Office of the Public Guardian. Originals of all bills,
103 receipts and payments shall be attached to the Pay-Out Form and will be retained in the fiscal
104 files of the Office of the Public Guardian.

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106 e. The Adult Services Program Patient Services Representative shall ensure that the Adult
107 Services Unit Supervisor shall review and approve by signature any single payment
108 authorization which exceeds \$1,000 prior to submission to the Office of the Public Guardian.

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110 6. The standard practice of the Representative Payee Service shall be that all checks and
111 Medicare/MediCal cards shall be mailed by the Office of the Public Guardian. However, the
112 Representative Payee can request that a check be withheld from the mail for pick-up at the
113 Adult Service Program office.

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115 a. The Representative Payee shall enter the client's name on a log maintained by the Adult
116 Services Program Patient Services Representative and indicate if the Clerk or the
117 Representative Payee can release the check.

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119 b. The Adult Services Program Patient Services Representative shall submit the names of
120 checks to be withheld from the mail to the Principal Clerk of the Office of the Public Guardian.

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122 c. The Office of the Public Guardian will deliver the checks to be withheld from the mail to the
123 Adult Services Program Patient Services Representative immediately upon printing and
124 distribution.

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126 d. The Adult Services Behavioral Health Service Manager will monitor and review the check
127 pick up process.

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129 e. The Office of the Public Guardian shall mail all MediCal cards to Representative Payee
130 clients on a monthly basis.

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132 C. Change Actions

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134 1. The Representative Payee is responsible for the prompt processing of change actions to
135 ensure the correct and timely payment of the clients' obligations.

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137 a. Adult Services Program clerical staff may be utilized as necessary and appropriate to ensure
138 the prompt completion of these change actions.

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140 b. Adult Services Program clerical staff may complete the various documents and forms
141 described under the heading "Change Actions," however, the Representative Payee is
142 responsible for the accuracy and content of all completed items. The Representative Payee
143 shall review and sign the appropriate documents and forms. The Adult Services Program
144 Patient Services Representative shall receive and review all these notices of changes for
145 accuracy and completeness before submitting them to the Principal Clerk of the Office of the
146 Public Guardian for processing.

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148 c. Form RPS-54 shall be used to record all change in status actions, with distribution to the
149 Office of the Public Guardian, the Social Security Administration and the Representative Payee
150 client's file.

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152 2. The following "Change In Status Actions" are to be processed as follows:

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154 a. Protective Filing Date: The Representative Payee shall establish a protective filing date for
155 clients who need eligibility determined or reestablished for SSA/SSI and/or Medicare/Medical
156 benefits by entering the date on a completed Form RPS-54 and submitting the Form through
157 the Adult Services Program Patient Services Representative to the Office of the Public
158 Guardian. The Office of the Public Guardian will process the protective filing date with an
159 application to determine eligibility or to reestablish eligibility for these benefits.

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161 b. Change of Residence: With a change of residence, the Representative Payee shall notify by
162 letter and phone, as applicable, utility companies, trash collectors, propane and/or gas
163 companies, landlords, mortgage companies, and other businesses so that connections and
164 disconnections can be made properly with closing bills. Deposits are to be negotiated,
165 whenever possible. Notice of a change of residence shall be documented on Form RPS-54
166 and submitted through the Adult Services Program Patient Services Representative to the
167 Office of the Public Guardian, to the funding source. Copies will be retained in the Adult
168 Services Program case file, and the master card file.

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170 c. Changes in Level of Care: When the client moves to a different level of care, or when the
171 client moves from one placement facility to another within the same level of care, the
172 Representative Payee shall request a proper refund from the vacated facility via Form MH- 92
173 and then complete and process the following forms through the Adult Services Program Clerk
174 for review of their accuracy and completeness:

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176 - Form RPS-54, notification of change to the Social Security Administration;

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178 - Pay-Out Form MH-91 (Blue) for the one-time partial payment to the new placement:

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180 - Pay-Out Form MH-53 (Gold) for the ongoing amount of the monthly cost for the new
181 placement.

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184 The Adult Services Program Patient Services Representative shall then submit these forms to
185 the Principal Clerk of the Office of Public Guardian.

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187 d. Change in Living Situation Effects Amount of Income: The Representative Payee shall
188 immediately or within seven days of the change provide written notification to the Office of the
189 Public Guardian and through them to the Social Security Administration when a change in living
190 status occurs which will affect the client's benefit amount, e.g., a move to independent living
191 with or without cooking facilities, a move to a licensed residential care facility or a hospital etc.
192 The change shall be transmitted on RPS-54 through the Adult Services Program Patient
193 Services Representative to the Principal Clerk of the Office of the Public Guardian and
194 recorded in the case file and the master card file. The Office of the Public Guardian shall report
195 the change to the Social Security Administration and monitor every week for thirty days
196 thereafter until the payments are corrected.

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198 e. Relocation to an Acute Care Hospital or Skilled Nursing Facility or Jail: The Representative
199 Payee shall immediately report on Form RPS-54 when an SSI recipient moves to an
200 institutional setting. The completed RPS-54 is processed through the Adult Services Program
201 Patient Services Representative who transmits the information to the Office of the Public
202 Guardian for submission to the Social Security Administration. A control is to be set for SSI
203 overpayments (the SSI payment is reduced effective the first full calendar month in the
204 institution) and new standing payments shall be computed.

205
206 Moves to and from an institutional level of care usually means that the client's legal status has
207 changed. A change in legal status would require the transfer of the Representative Payee
208 responsibility between the Adult Services Program and the Office of the Public Guardian.

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210 The Public Guardian shall serve as Payee when the Court has appointed a Temporary or
211 Permanent Conservatorship of the Person. The Adult Services Program shall serve as Payee
212 when the Court has terminated the Conservatorship of the Person. The process used to
213 transfer Representative Payee responsibility between the Public Guardian and the Adult
214 Services Program shall consist of the following actions:

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216 -the referring agency shall promptly notify the receiving agency of the pending transfer;

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218 -the referring agency shall complete a Face Sheet/Referral Form, attach a current copy
219 of the Income/Expenditure Report and copies of the Letters of Appointment or Termination of
220 Conservatorship.

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222 -the Principal Clerk, Office of the Public Guardian shall record the status change.

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224 f. Deceased Client: The Representative Payee shall immediately notify the Office of the Public
225 Guardian through the Adult Services Program Patient Services Representative on Form RPS-
226 54 when information is received that the client is deceased. Disbursement of residual funds will

227 be authorized by the Representative Payee in accordance with the rules and regulations
228 governing the award of the client's benefits.

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230 g. Overpayment/Underpayment of Income: The Representative Payee shall authorize the
231 Office of Public Guardian to return and/or make repayment of all SSA and SSI/SSP
232 overpayments. The Adult Services Program Patient Services Representative and Office of the
233 Public Guardian Principal Clerk shall meet with the Social Security Administration liaison to
234 review these cases and the results will be communicated to the Representative Payee before
235 action is taken.

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237 h. Other Change in Status Actions:

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239 The Adult Services Program Patient Services Representative shall obtain any additional
240 information from the Representative Payee and shall provide the Principal Clerk from the Office
241 of the Public Guardian with the necessary information to complete the following documents:

- 242 -Social Security and/or Medicare/MediCal application/redetermination forms;
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- 244 -General Assistance and County MediCal applications;
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- 246 -Renters Assistance and Renters Credit applications;
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- 248 -Burial insurance applications;
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- 250 -Affidavits to replace non-received, lost or stolen MediCal cards/POE's for medical bills
251 incurred by clients;
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- 253 -County MediCal applications for all clients terminated from SSI benefits.
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