



SSI Coalition For A Responsible Safety Net

Security with Dignity for Low Income Elderly and Disabled

June 28, 2002

Sent by facsimile

Jo Anne B. Barnhart
Commissioner of Social Security
P.O. Box 17703
Baltimore, MD 21235-7703

Re: NPRM on Rules requiring SSI beneficiaries to
grant permission for access to financial records

Dear Commissioner Barnhart:

The SSI Coalition is a policy and advocacy organization that focuses on the Supplemental Security Income (SSI) program and other public benefit programs that provide cash assistance and health care to low-income elderly and people with disabilities. Our individual and organizational members range from consumers with physical and/or psychiatric disabilities to community based organizations working with people with disabilities. We also provide individual legal representation to individuals with Social Security problems.

These comments are submitted in response to the NPRM published in the Federal Register on May 2, 2002. The SSI Coalition has some concerns about the proposed rule requiring SSI applicants and beneficiaries to grant to SSA virtually unlimited access to their financial records, as well as to the financial records of responsible third parties.

This new requirement could cause some SSI eligible individuals to lose SSI benefits if persons (spouses or parents or sponsors whose income and resources SSA deems to SSI recipients) refuse to sign the release for SSA to obtain their financial information. For example, if a spouse decides not to cooperate with SSA and refuses to sign the written permission, the SSI eligible spouse could lose SSI benefits. There appears to be no limit to the type of information that SSA could request about an individual, and SSA does not even have to furnish a copy of the written permission to the financial institution.

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This new, inflexible rule, appears to be unduly broad and unnecessary. SSA as always had the right to request financial information, and if the individual could not produce the requested information, SSA could obtain the information after obtaining a release for the specific financial institution. Furthermore, if the responsible third party refuses to cooperate, there is no good faith exception to protect the applicant/beneficiary.

This proposed rule will be a barrier to SSI eligibility for some individuals. In this economic climate, where individuals in poverty who are unable to work need the safety net of the SSI program, imposing these new requirements may sever that lifeline. The SSI Coalition hopes that SSA will reconsider the proposed rules.

Sincerely,


Sue Augustus
Deputy Director

/sa



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