

COVID-19 Frequently Asked Questions

Economic Impact Payment Q&A

1. Who is eligible for economic impact payment and how do they get the payment?

The Internal Revenue Service (IRS) has created an online <u>Economic Impact Payment</u> <u>Information Center</u> (https://www.irs.gov/coronavirus/economic-impact-paymentinformation-center). On that page, you will find detailed information about who is eligible and the steps, if any, people need to take to get the payment. We encourage you to review this information so that you are able to provide general information to beneficiaries about the payment. We also encourage you to share this website with beneficiaries so that they can use it to stay informed.

Internal Revenue Service (IRS) Economic Impact Payment Information Center (https://www.irs.gov/coronavirus/economic-impact-payment-information-center) IRS Economic Impact Payments (https://www.irs.gov/coronavirus/economic-impact-payments)

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2. How does the economic stimulus payment effect Supplemental Security Income (SSI)?

Social Security addressed this question on their COVID-19 website. The guidance states, "Social Security will not consider economic impact payments as income for SSI recipients, and the payments are excluded from resources for 12 months."

<u>Social Security COVID-19 website</u> (https://www.ssa.gov/coronavirus/)

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3. How does the economic stimulus payment effect Title II disability benefits?

Title II disability benefits are not financial need-based and this program has no resource limit. As a result, the economic impact payment has no effect on this cash benefit.

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4. How does the economic stimulus payment effect subsidized housing funded by Housing and Urban Development (HUD)?

In a HUD Q&A the following guidance has been provided, "The pending stimulus payments directly to individuals and families would be excluded from income, as they are temporary, non-recurring payments (per 24 CFR 5.609)."

<u>HUD COVID-19 FAQ</u> (https://www.hud.gov/sites/dfiles/PIH/documents/COVID19_FAQ_PIH_3-30-20.pdf)

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5. How does the economic stimulus payment effect Medicaid?

The Centers for Medicare and Medicaid (CMS) addressed this question in a Frequently Asked Questions (FAQ) document that they posted by the on April 13, 2020. The guidance states, "Section 2201 of the CARES Act allows a refundable tax credit for 2020 to eligible individuals. It also directs the Internal Revenue Service to provide payments in 2020 as an advance refund of the credit to eligible individuals, called 'Recovery Rebates.' The payments are not taxable income, and are therefore not countable in MAGI-based eligibility determinations. Separately, 26 U.S.C. § 6409 prohibits the counting of federal tax rebates or advance payments with respect to refundable tax credits as income, and, for 12 months following receipt, resources, in the eligibility determination of any federal needs-based program (such as Medicaid). Thus, the Recovery Rebates may not be counted as income, and, for 12 months, as resources, in non-MAGI financial eligibility determinations."

<u>CMS Families First Coronavirus Response Act (FFCRA), Public Law No. 116-127 and Coronavirus Aid,</u> <u>Relief, and Economic Security (CARES) Act, Public Law No. 116-136 Frequently Asked Questions</u> (https://www.medicaid.gov/state-resource-center/downloads/covid-19-section-6008-CARESfaqs.pdf)

<u>American Taxpayer Relief Act of 2012, SEC. 6409</u> (https://www.congress.gov/112/plaws/publ240/PLAW-112publ240.pdf)

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6. How does the economic stimulus payment effect the Supplemental Nutrition Assistance Program (SNAP)?

The United States Department of Agriculture (USDA) addressed this question in a letter dated April 11, 2020. The guidance states, "Pursuant to 26 U.S.C. § 6409, these rebates are excluded from consideration as income in the month of receipt and as an asset for 12 months following receipt for SNAP purposes. A household would not be considered to have exceeded the income limit due to these payments because they are excluded, but receipt of these payments could affect a household's eligibility after 12 months if the payments cause the household to exceed the resource limit."

<u>United States Department of Agriculture, Supplemental Nutrition Assistance Program – Questions</u> and Answers, COVID-19, Set #1

(https://fns-prod.azureedge.net/sites/default/files/resource-files/SNAP-COVID-QA1.pdf)

<u>American Taxpayer Relief Act of 2012, SEC. 6409</u> (https://www.congress.gov/112/plaws/publ240/PLAW-112publ240.pdf)

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Unemployment Insurance Q&A

1. How does unemployment insurance (UI) effect SSI?

POMS SI 00830.230 states UI benefits are unearned income. Additional unemployment authorized by the CARES Act will **not** be treated differently than regular unemployment benefits as described at POMS SI 00830.230.

<u>POMS SI 00830.230 Unemployment Insurance Benefits</u> (https://secure.ssa.gov/apps10/poms.nsf/lnx/0500830230)

<u>Coronavirus Aid, Relief, and Economic Security Act (CARES Act)</u> (https://www.congress.gov/116/bills/hr748/BILLS-116hr748enr.pdf)

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2. How does unemployment insurance (UI) effect Title II disability benefits?

Title II disability beneficiaries will experience no effect on their cash benefit eligibility or payment amount because of receiving regular UI or the additional unemployment authorized under the CARES Act since Title II disability benefits are not means-tested.

<u>POMS DI 10501.001 Meaning of SGA and Scope of Chapter</u> (https://secure.ssa.gov/apps10/poms.nsf/lnx/0410501001)

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Special Pay during the Pandemic

1. If a beneficiary receives extra wages during the pandemic, how is that treated for SSI?

In the context of SSI earned income policy and SSI wage reporting, COVID-related increases in wages are earned income. Social Security will evaluate the wages following normal policy. POMS SI 00820.100 provides examples of pay that Social Security would consider wages, including special payments received because of employment.

<u>POMS SI 00820.100 Wages – General</u> (https://secure.ssa.gov/apps10/poms.nsf/lnx/0500820100)

2. If a beneficiary receives extra wages during the pandemic, how is that treated for Title II disability benefits?

When evaluating earnings and work activity for Substantial Gainful Activity (SGA) decisions Social Security determines whether the income represents the individual's own productivity. For example, if an individual is not working but his or her salary continues, Social Security does not consider that income when determining countable earnings for SGA determinations.

When a beneficiary is working and is receiving bonuses, hazard pay, temporary raises, incentive payments, etc., to work during the COVID-19 pandemic, Social Security will consider this income directly related to the individual's own productivity unless the individual presents evidence to the contrary. Social Security will evaluate any such evidence according to existing policy. See, POMS DI 10505.010.

<u>POMS DI 10505.010 Determining Countable Earnings</u> (https://secure.ssa.gov/apps10/poms.nsf/lnx/0410505010)

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Other Benefit and Work Incentive Related COVID-19 Information

1. Is there a temporary rule that requires state Medicaid agencies to continue a beneficiary's Medicaid eligibility during the pandemic?

As with all things Medicaid, it depends on the state. Section 6008 of the Families First Coronavirus Response Act (FFCRA) provides a temporary 6.2 percentage point increase to each qualifying state and territory's Federal Medical Assistance Percentage (FMAP) under section 1905(b) of the Social Security Act (the Act) effective beginning January 1, 2020 and extending through the last day of the calendar quarter in which the public health emergency declared by the Secretary of Health and Human Services for COVID-19, including any extensions, terminates.

To qualify for the temporary FMAP increase, states must, through the end of the month when the public health emergency ends:

- Maintain eligibility standards, methodologies, or procedures that are no more restrictive than what the state had in place as of January 1, 2020 (maintenance of effort requirement).
- Not charge premiums that exceed those that were in place as of January 1, 2020
- Cover, without impositions of any cost sharing, testing, services and treatments including vaccines, specialized equipment, and therapies—related to COVID-19.

• Not terminate individuals from Medicaid if such individuals were enrolled in the program as of the date of the beginning of the emergency period, or becomes enrolled during the emergency period, unless the individual voluntarily terminates eligibility or is no longer a resident of the state (continuous coverage requirement).

If a state opted for the increased FMAP, as noted above, they could not terminate individuals from Medicaid. You will need to conduct research in your state to determine if this rule applies.

<u>Families First Coronavirus Response Act</u> (https://www.congress.gov/116/bills/hr6201/BILLS-116hr6201enr.pdf)

<u>Centers for Medicare and Medicaid Services – Families First Coronavirus Response Act – Increased</u> <u>FMAP FAQs</u>

(https://www.medicaid.gov/state-resource-center/downloads/covid-19-section-6008-faqs.pdf)

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