

# ***SOCIAL SECURITY OVERPAYMENTS***

## **A Guide for Social Security and SSI Disability Beneficiaries in Rhode Island Who Work**

*Prepared by*

**The Rhode Island Disability  
Law Center, Inc. (RIDLC)**

The Rhode Island Disability Law Center,  
Inc. is a nonprofit law firm that is the  
designated protection and advocacy system  
for persons with disabilities in Rhode Island.

SSA has reviewed the following publication for  
technical accuracy only; this should not be  
considered an official SSA publication.

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### ***What is a work-related overpayment?***

If you receive SSDI or SSI benefits because you are blind or disabled, you are allowed to work and still receive benefits. However, there are limits to what you are allowed to earn, and the amount that you earn in wages will affect the amount of benefits to which you are entitled each month.

A ***work-related overpayment*** occurs when you have earned so much in gross wages that you are no longer entitled to receive benefits, and the Social Security Administration (SSA) therefore paid you too much in benefits.

### ***Your Responsibilities to Report Changes to SSA***

**Remember**, you must ***always*** report your earnings to your local SSA office as soon as possible but certainly **no later than the 10<sup>th</sup> day of the month after you have earnings.**

You should ***always keep copies of all documents*** about your work: pay stubs receipts for disability-related items (known as “IRWEs”) that you need to help you work, and so forth. Keep all of these documents in one folder and organize them according to date and type so that you will have all of the necessary information handy and in order should the SSA tell you that it has overpaid you.

### ***Work Incentives Planning and Assistance***

***Be sure that you meet with a community work incentives coordinator (“CWIC”) to review your benefits and employment situation.*** The CWIC will review with you your work and benefits history and can help with benefits analysis and management. Call 421-7005 ext. 405 or ext. 443 to make an appointment.

Bring your wage stubs and work-related expense receipts to your local Social Security office or mail them certified mail return receipt requested. ***If you go in person, be sure***

*that you get a receipt from the front desk representative.* Keep these copies, your receipts, and the green post card returned to you as proof of delivery for certified mail in the same folder with your wage and expense information so that you will also have it available should there be some problem later on. *Again, always make a copy of your earnings documents before you give these documents to your local Social Security office.*

***What should I do if Social Security says that I have been overpaid?***

Read the notice very carefully. You have several options:

>The overpayment amount in the notice may not be correct because it may not have all of your earnings and deductible Impairment Related Work Expenses (IRWEs) information. If you disagree with the overpayment decision, then you should request an appeal of Social Security's decision regarding the overpayment. You will have 60 days from the date on the notice to request an appeal, called a ***Request for Reconsideration***, unless you have a good excuse (such as illness) for not making your request on time) If you want to receive benefits while your appeal is decided, you must request an appeal *within 10 days from the date on the notice. You should file the appeal even if someone thinks you are not likely to win.* You may withdraw your

Request for Reconsideration at any time if you decide not to challenge the overpayment decision.

>You may also ask SSA at any time to **waive or not recover the amount that was overpaid to you.** If you requested Reconsideration, you may not want to request waiver unless the Social Security Administration issues you an unfavorable decision.

***You should respond to these letters right away. If you do nothing, the Social Security Administration may either take a portion of your check every month until the overpayment is paid back, stop your benefits, or even intercept any federal tax refund that is due you. And ALWAYS be sure to keep the letter!***

***How We Can Help...***

If Social Security says you were overpaid, **don't wait. Contact us immediately!** *Our services are free of charge!*



**RHODE ISLAND DISABILITY  
LAW CENTER, INC.**

Call us at:

TTY: 831-5335

Voice: 831-3150

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