



We have the legal right of way.

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## **ABUSE AND NEGLECT:** Your Rights If Your Representative Payee is Misusing Your Money

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Your **representative payee** is a person or agency the Social Security Administration has chosen to control your benefits money. Even though you have a representative payee, the money should only be used to benefit you. It is important to remember:

- The main job of your representative payee is to make sure your basic needs are met. This includes things like food, housing, clothing, personal care, and utilities (like heating, water, and electricity).
- Your Social Security money should **ONLY** be spent on you or saved for your needs. The payee can't use your money for themselves or anyone other than you.
- If you live in a facility like a nursing home or group home, you should get a set amount of spending money each month (usually \$30-50). If you live independently, your payee can decide how much spending money to give you.
- If your payee is a family member or friend, they cannot charge you a fee. An organizational payee can sometimes charge you a small fee for being your representative payee, but they must meet special criteria and get permission from the Social Security Administration. In 2021, the fee could be \$45 or less per month, or \$84 dollars or less per month if you have a drug or alcohol addiction.
- A bank account should be set up that tracks how your money is spent. Your money should not be mixed up with anyone else's money.
- Your payee only controls your benefits money. If you make money from a job or another source, your payee can't control that unless they are also your guardian. You should tell your payee if you are getting any extra money other than your benefits.
- You are allowed to ask your representative payee questions about your money and they have to answer your questions. You have the right to know what is happening to your money.

## **If you are having any problems like these, you can report it to Disability Rights Ohio:**

- Your payee or someone else is stealing your money, or using it on someone other than you.
- Your payee is not paying your bills on time.
- You do not live in a home that is clean, safe, and warm.
- You don't have your basic necessities, like food, shelter, clothing, toiletries, medical or dental care.
- You live in a nursing home or other institution, but you aren't getting at least \$30 each month for spending money.
- Your payee is charging you a fee, but you don't think they have permission from the Social Security Administration to charge you.
- Your payee keeps their own money in the same bank account as your benefits money.
- Your payee is mean to you, disrespectful, or abusive.
- You cannot reach your payee, or they refuse to answer your questions about your money.

In partnership with the Social Security Administration, Disability Rights Ohio can investigate and review how representative payees are using your benefits money. Disability Rights Ohio can report representative payees that steal and misuse funds, or otherwise exploit, neglect, or abuse their beneficiaries to the Social Security Administration.

## **Contacting Disability Rights Ohio**

If you have questions or concerns, please call us at 1-800-282-9181. You can also use our online intake form at [www.disabilityrightsohio.org/intake-form](http://www.disabilityrightsohio.org/intake-form).