

SSA Overpayments

An overpayment occurs when Social Security sends you a benefit payment higher than what you're eligible to receive.

What happens if I have an overpayment?

- If you think you have been overpaid, don't spend the extra money! Social Security will send you a notice explaining the overpayment with a request for you to repay the amount within 30 days of the notice.
- If you are receiving SSDI payments, Social Security will withhold the full amount of your benefit each month, unless you request a lesser withholding amount.
- If you are receiving SSI, Social Security will withhold 10% of the federal benefit rate each month to recover the overpayment.
- If you don't agree that you've been overpaid, or if you believe the amount of the overpayment is incorrect, you can file form SSA-561 for an appeal. Your appeal needs to state why you think you haven't been overpaid or why the overpayment amount is incorrect. You must submit your appeal in writing 60 days from when you received the overpayment notice.
- Another option you may consider is filing form SSA- 632, Request for Waiver of Overpayment Recovery, to explain why you believe you qualify for a waiver, meaning you believe you shouldn't have to pay the overpayment amount back. There is no time limit for filing for a waiver, but you must prove that the overpayment wasn't your fault and that paying the money back would cause you financial hardship or would be unfair for a specified reason.
- For appeals and waivers, you may need to supply Social Security with proof of income and expenses and may need to meet with Social Security personnel.

Do you have questions about SSA overpayments?

Contact **NYESS** or visit our **Website**:

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