

MISSOURI UNEMPLOYMENT INSURANCE & ECONOMIC IMPACT PAYMENTS WEBINAR QUESTIONS AND ANSWERS – 4-23-2020

Unemployment Benefits

PANDEMIC UNEMPLOYMENT ASSISTANCE

Is there an age requirement for school kids having to stay home? If a high school senior has to stay home does that mean an employee can stay home? **The CARES Act doesn't specify an age limit for a child.**

If someone were a self-employed person who couldn't work because their job was working with the public, such as a photographer, they would be ineligible because they did not have someone with COVID in their home? **This person MIGHT be eligible for Pandemic Unemployment Assistance if considered to meet the condition that their workplace had shut down due to COVID-19.**

Self-employed and does not have a FID. For example, buys junk cars and sells to junk yards, can they be eligible for UI. They do file taxes as a self-employed, advertisement is on the back of truck windshield. **The person may qualify for Pandemic Unemployment Assistance if they are unemployed, partially unemployed or unable to or unavailable for work due to at least one of the 10 COVID-19-related reasons specified in the CARES Act.**

For people who were recently hired for the baseball season, but cannot work due to the suspended season, can they still apply for Pandemic Unemployment Assistance? **Yes. They would meet one of the 10 COVID-19-related conditions – their workplace is closed due to COVID-19 – and they are unemployed as a result.**

Can someone file if there is a loss, or significant reduction in income, from a second job? **If they have another full-time job, then they would most likely NOT qualify. If both jobs are part-time, the income from the second job is substantially reduced, AND the person meets at least one of the 10 COVID-19-related criteria in the CARES Act, they MIGHT be eligible for Pandemic Unemployment Assistance, since they could be considered "partially unemployed". They should file a claim.**

If your job allows you to work from home but you are unable to work due to having schools/daycare closed, could you be eligible? **You MIGHT be eligible for Pandemic Unemployment Assistance, based on meeting one of the 10 COVID-19-related conditions in the CARES Act.**

PANDEMIC UNEMPLOYMENT COMPENSATION

Are there any benefits to people who are on regular UI, but are having trouble securing jobs because of the hiring freezes due to COVID-19? **They should receive Pandemic Unemployment Compensation (PUC), which provides the extra \$600/week through as late as July 25. When their regular UI has been exhausted, if they are still unemployed, they can qualify for Pandemic Emergency Unemployment Compensation (PEUC), which gives them an extra 13 weeks of unemployment benefits at the regular UI rate, plus the extra \$600/week through as late as July 25. Note that both PUC and PEUC will end on December 31, 2020, whether or not the person has used up the full benefits.**

What if you qualify for regular unemployment and started receiving an amount lower than \$133, how would they get the additional amount up to \$133 assuming the unemployment was specific to one of the 10 rules, specifically #10? **A person who qualified for regular UI would receive the regular UI benefit plus the extra \$600/week (through as late as July 25). Their regular benefit could be less than \$133/week. The \$133/week minimum (plus the extra \$600/week) applies only to Pandemic Unemployment Assistance.**

PANDEMIC EMERGENCY UNEMPLOYMENT COMPENSATION

For those who exhausted their unemployment- say it ended in June 2019- but have been looking for a job since then- would you be eligible for emergency unemployment? **Section 2107 of the CARES Act specifies that, to be eligible for Pandemic Emergency Unemployment Compensation, a person must “have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before July 1, 2019)”. Therefore, a person who exhausted regular Unemployment Insurance benefits in June 2019 would not be eligible.**

If you worked for 3 months (temp job) but had exhausted unemployment earlier, would you be eligible for the emergency unemployment program? **Section 2107 of the CARES Act does not address this question, but if the person’s regular Unemployment Insurance benefits had been exhausted on or after July 1, 2019, it would appear they MIGHT be eligible, and should certainly apply.**

EXTRA \$600/WEEK BENEFIT

Is this extra \$600 automatically added to UI or does a separate request or application need to be completed? **The extra \$600/week should be automatically added without a separate request.**

Is the \$600 by federal government the least the person can get? **No, the minimum is higher than \$600/week. A worker who is eligible for regular UI will receive the regular UI amount plus the \$600/week. A worker who has exhausted regular UI benefits will receive the amount of regular UI they had received plus the extra \$600/week. A worker who is not eligible for regular UI, but is eligible for Pandemic Unemployment Assistance, will receive at least \$133/week plus the extra \$600/week. The extra \$600/week will only be provided through July 25.**

Will workers need to pay taxes on that extra \$600.00 along with their regular unemployment at the end of the year when they file their 2020 taxes? **Yes.**

PART-TIME WORK

Can part-time workers receive unemployment benefits under the CARES Act? **Under regular Unemployment Insurance law in Missouri, only full-time workers qualify for UI. Section 2102 of the CARES Act states that a person may qualify for Pandemic Unemployment Assistance who is “is self-employed, is seeking part-time employment, does not have sufficient work history, or otherwise would not qualify for regular unemployment”. While this language doesn’t specifically state that PUA applies to people who were working part-time (it only says they are “seeking part-time employment”), it has been interpreted by many (including the Brookings Institution – see <https://www.brookings.edu/blog/up-front/2020/04/07/how-does-unemployment-insurance-work-and-how-is-it-changing-during-the-coronavirus-pandemic/>) to mean that part-time workers may receive PUA. It is recommended that part-time workers who are unemployed, partially unemployed, or unable to or unavailable for work due to at least one of the 10 COVID-19-related conditions in the CARES Act file claims for unemployment.**

I have someone who is laid off due to COVID 19. We filed and received \$0 benefit. Will they get the COVID 19 payment. The individual was working part time 14 hours a week as a dish washer. The workplace had to close the dining portion of the restaurant due to COVID 19. **If Missouri interprets the CARES Act to provide PUA eligibility for part-time workers (see above), then this worker would appear to be likely eligible for PUA. The amount would likely be at least \$733/week (\$133/week minimum plus \$600/week).**

If someone lives in a residential facility and they are on lock down therefore unable to go to work can they file unemployment under the cares act they only work about 16 hours a week. **It’s unclear whether this person might qualify for PUA under the CARES Act, as they may not meet one of the 10 conditions related to COVID-19. However, I would recommend they apply, as they can’t go to work for a legitimate reason that is directly related to COVID-19. Also, see discussion of PUA and part-time workers above.**

I have a part time employee and under the normal UI regulations would not be eligible for UI if we laid them off - I used the online calculator to determine that. Did I hear you say that now part time employees are eligible? **See above discussion of PUA and part-time workers.**

Will the Federal Government assistance be prorated if the person can work part time? **The CARES Act says nothing about the impact of part-time earnings on Pandemic Unemployment Assistance, Pandemic Unemployment Compensation or Pandemic Emergency Unemployment Compensation.**

If someone files a claim that was hired in 2020 with your company, would they be ineligible b/c they do not have wages within base period Jan 2019-Dec 2019? **They would be ineligible for regular UI, but may be eligible for Pandemic Unemployment Assistance.**

VOLUNTARILY QUITTING WORK

We have a day program that is closed but we still have 24 hour care in our ISL homes we have employees that are not wanting to work in the houses are they eligible? **If they are potentially eligible for regular Unemployment Insurance (i.e., have worked earned enough during the base period), they would need to show “good cause” to have quit the job in order to qualify. It is unclear whether quitting due to concerns about COVID-19 exposure would be judged to be “good cause”. If they were not potentially eligible for regular Unemployment Insurance, but might be eligible for Pandemic Unemployment Assistance, they would need to meet the condition of having “quit the job as a direct result of COVID-19”. The criteria for this condition have not yet been established, though some members of Congress have indicated they did not mean for it to include anyone who simply felt they would be safer not being in the workplace.**

Where can we find more information about the "had to quit as a result of COVID19: but not due to fear of risk"? You mentioned they must have an underlying health risks. But is this stated anywhere? **This was speculating that “had to quit as a direct result of COVID-19” MIGHT apply to someone who was at greater risk of contracting COVID-19, such as someone with underlying health conditions. However, at this time, no guidance has yet been released that explains the criteria. The U. S. Department of Labor released a letter regarding unemployment benefits and the CARES Act on April 2 (see https://wdr.doleta.gov/directives/attach/UIPL/UIPL_14-20.pdf), but it does not mention this issue.**

Can you file for UI if you resigned in lieu of termination? **See above.**

I have a person that hours were cut in half due to COVID. She works in a child care facility. She has now been given the choice to get her hours back. She is a high-risk person. Would she be eligible to receive this benefit if she does not choose to work? **See above.**

Does the employee have to let the employer know in writing their reason for not returning to work while the business is still open and work is available? **The person would need to quit the job in order to have any possibility of receiving either regular UI or PUA, and their reasons for quitting would have to meet the criteria discussed above. They may not have to specify the reason(s) to the employer, but they do need to specify the reason(s) in their UI claim. If they may be eligible for regular UI, then the employer will have an opportunity to dispute that the person quit for “good cause”.**

Do we know if Legal Services agencies in Missouri are assisting with cases where they are trying to prove "just cause" for quitting due to concerns regarding COVID 19? **We don't know the answer. You may want to contact Missouri Legal Services at 800-990-2907 or visit their website at www.lsmo.org.**

SHELTERED WORKSHOPS

Does UI include workers at sheltered workshops? **Apparently, some sheltered workshop workers may qualify for regular UI benefits – see this statement below from another webinar participant: “I have someone who worked at a workshop making \$3.13 per hour based on her productivity. She is eligible for \$75 per week unemployment.” The assumption is this person was on the payroll for the nonprofit that runs the workshop. A person who receives regular UI during the COVID-19 emergency would also receive the extra \$600/week, through as late as July 25. A person who worked in a sheltered workshop, did not qualify for regular UI benefits, and couldn't work because the workshop was closed due to COVID-19 MIGHT be eligible for Pandemic Unemployment Assistance, and would be encouraged to apply.**

If someone was working in a sheltered workshop, could they get unemployment, as there is the clause to earn \$1 and up? **See above.**

Are individuals employed through Sheltered Employment that receive SSI eligible for unemployment benefits? **See above.**

FILING CLAIMS

When filing for the pandemic unemployment assistance, does the applicant have to specify this when applying? I have had several clients apply but were told they did not make enough money to receive UI. **Because the CARES Act was passed just a few weeks ago, states have been working hard to revise their**

UI claims systems to accommodate the changes made by the Act. Most states have only very recently been able to handle claims for Pandemic Unemployment Assistance – Missouri’s system reportedly became able to handle PUA claims the week of April 11. The UI online claim system should enable a person to complete all necessary information and be approved for whichever unemployment benefit(s) they are eligible for, without them having to specify which benefit they are applying for.

Can someone wait until they are approved for UI & then submit request for those weekly payments from date of application to date of approval notification? **You would need to check with Missouri’s UI agency on whether Missouri’s claim system will let a person do this. In other states, a person can file their weekly or biweekly payment requests retroactively, once their claim is approved.**

if you're determined ineligible for state unemployment, but eligible for PUA, do you still have to refile every week? **Yes.**

SEVERANCE OR OTHER FULL PAYMENT OF WAGES

If a person lost their job due to COVID-19, but is being paid a severance package, are they eligible for benefits? **No. Severance payments or other full compensation for wages prevent a person from receiving UI until the period covered by the compensation ends. For example, if a person received severance equal to 2 months of wages, they would not qualify for unemployment for 2 months.**

We have paid our employees while being out on furlough....are they eligible to receive benefits with Missouri if we show they are paid their wages? **No – see above.**

UNEMPLOYMENT & OTHER BENEFITS

SSDI- does the amount received from UI impact SSDI during this time if it exceeds SGA? **No. UI does not count as earned income and has no impact on SSDI.**

Does the extra benefit count against the client affecting SSI, Food Stamps, TANF and Medicaid? **Section 2104(h) of the CARES Act specifies that the extra \$600/week benefit does NOT count as income for Medicaid or Children’s Health Insurance Program purposes. It does not state whether it counts as income for other programs, which most likely indicates that at least some other programs will count the extra \$600/week. Past experience also suggests this is likely. The American Recovery and Reinvestment Act of 2009, passed during the Great Recession, provided an increased unemployment benefit that was fully federally funded, and this extra**

amount was counted as unearned income for SSI. HUD just announced that the extra \$600/week will NOT count as income for HUD rental assistance programs. On the other hand, federal policy was released indicating states MAY count the extra \$600/week as income for Food Stamps. Federal policy has not yet been released at the time of this webinar as to whether the extra \$600/week benefit will count as income for SSI or TANF.

Is SSA sending letters to recipients to let them know they are required to apply for UI if they receives SSI? How do they know this (besides us telling them? **It is not likely that SSA will send letters to people to inform them they must apply for UI, though it is possible. Social Security's Program Operations Manual System (POMS) states that "A claimant/recipient is not eligible for SSI if:**

- **SSA advises him/her, on a written, dated notice, of potential eligibility for other benefits; and**
- **He/she does not take all appropriate steps to file for and, if eligible, obtain any such payments within 30 days of receipt of such notice."**(<https://secure.ssa.gov/apps10/poms.nsf/lrx/0500510001#b>)

The POMS also specifies that Unemployment Insurance is one of the benefits a person must file for if potentially eligible (<https://secure.ssa.gov/apps10/poms.nsf/lrx/0500510005>).

This suggests that, unless SSA does send a letter informing a SSI beneficiary that they may be potentially eligible for UI, there would not likely be a penalty if they do not file.

If a person receives SSI and works at a Sheltered workshop are they required to apply for UI? **See above.**

What about participants receiving SSI who has never worked and won't have previous earned income? Will they still be required to apply and if so how does that affect their SSI and MO HealthNet benefits? **No. Only people on SSI who have worked and could potentially be eligible for UI would need to apply. See above.**

If an individual voluntarily decides to take a leave of absence from their job due to COVID and their employer is holding their position until they return, and they are a recipient of SSI, are they still required to file for unemployment? **A person taking a voluntary leave of absence – but not quitting – would not likely be eligible for unemployment benefits, and that if the person received SSI, they would not likely be required to file for unemployment.**

What is the date of the emergency? I have a child whose Medicaid ended 3-31-20 due to increase in income but I was informed that the emergency started 4-1-20 so they would have to reapply...is 4-1-20 the start date federally? **The Secretary of the U. S. Department of Health and Human Services declared the COVID-19 Emergency effective January 27, 2020.**

If an individual received unemployment benefits which reduce their SSI to \$0, do the same rules of 1619b apply? **No. 1619(b) only applies if the SSI is reduced to \$0 by earned income. If unearned income alone is high enough to reduce SSI to \$0, a person is not eligible for 1619(b).**

Just to clarify, people will not be moved from free to spenddown? Does this mean spenddowns will not go up? **According to the Medicaid Eligibility Specialist at the Missouri Department of Mental Health, the following is information about continuing MO HealthNet during the COVID-19 emergency:**

“Missouri has implemented policy to not discontinue Medicaid unless the client moves out-of-state or requests closing during the COVID19 crisis. This includes not changing a client from non-spend down to spend down. For spend down clients who met spend down in March, their coverage will continue without having to meet it again. For spend down clients who did not meet in March, if they meet it in a later month it continues from that month through the end of the COVID19 period. For TWHA clients who were paying a premium their coverage will continue even if they stop paying the premium. For TWHA clients become unemployed and therefore normally would have changed to spend down the coverage will continue in the TWHA category.”

Can you discuss continued Medicaid for individuals who receive MO HealthNet Coverage, but do not have SSI? Is the implication for continuation the same? What impact does the unemployment payment amount have on the spenddown? **See above.**

Re Families First Act: if the state "reopens" before the additional federal funds are used, does the state have to return the unused funds to the federal government, or does the state get to keep the unused funds? **If the state meets the conditions of the Families First Coronavirus Response Act - including continuing MO HealthNet for anyone who received it at any point during the federally-declared COVID-19 Emergency through the last day of the month the emergency is officially called off by the Secretary of the U. S. Department of Health and Human Services, even if the person is no longer financially eligible – then the state can keep the additional 6.2% federal contribution. The Act doesn't specify that a state must relinquish any funds if it "reopens" before the emergency ends.**

What are the 4 states that UI will affect their SSDI due to COVID19? **According to Rick McHugh, an attorney with the National Employment Law Project, the four states are Illinois, Louisiana, Minnesota and South Dakota. HOWEVER, this would need to be verified that it is still current.**

Will this extra money be considered a resource after emergency? And affect their benefits? **Unemployment benefits are considered a resource the month after the month they are received. Economic impact payments do not count as a resource for 12 months after they are received.**

Do UI/CARES benefits affect Medicare D? **UI benefits count as unearned income for benefits including Medicare Part D low income subsidies (“extra help”) and Medicare Savings Programs. The CARES Act specifically excludes the extra \$600/week benefit from income for Medicaid and Children’s Health Insurance Program purposes, but not other benefits. The Centers for Medicare and Medicaid Services (CMS) has not released policy guidance as to whether the extra \$600/week counts as income for Part D low income subsidies or Medicare Savings Programs.**

What about resource limits during this time for SSI and MO HealthNet? **The resource limits have not changed. Economic Impact Payments are excluded from resources for 12 months after they are received. The extra \$600/week unemployment benefit provided through the CARES Act is excluded from income for MO HealthNet purposes.**

IMPACT ON EMPLOYERS’ UNEMPLOYMENT INSURANCE RATES

Will an employer's unemployment rate go up based on the COVID-19 stay at home order? This has made everyone file for benefits. **Employers’ Unemployment Insurance tax rates may be increased based on regular UI benefits being paid, even during the COVID-19 emergency. However, rates will not be increased based on the solely federally-funded unemployment benefits provided through the CARES Act (Pandemic Unemployment Assistance, Pandemic Unemployment Compensation and Pandemic Emergency Unemployment Compensation).**

When you said these CARES programs are federally funded, does that mean that employers do not actually pay the claim? **Correct. The employer pays taxes to fund the regular UI system, but they don’t fund the additional unemployment benefits the CARES Act provides. See above.**

Will reimbursable employers have to pay claims for past employees who quit voluntarily if the claimant earned enough wages? **See above. Note that a worker who quits voluntarily must show “good cause” related to the work or employer in order to qualify for regular UI.**

Is the employers account charged during this pandemic? **See above.**

EMPLOYER SELF-PAID UNEMPLOYMENT INSURANCE

As an Employer if we self-pay our unemployment benefits and don't pay for insurance through the state of Missouri, how does that affect what we pay and benefits our employees might get? [Another participant wrote, "Self pay UE pay for all UE costs except the federal piece for the \$600 is what I have been told"]
You can contact Missouri Department of Labor at 800-320-2519.

MISCELLANEOUS

Would they retro pay back to the beginning of the pandemic or to the date you submitted your application? **In Missouri, benefits may be retroactive to as early as March 29, 2020.**

If you are still working a full time job but lost the part time job can they apply for unemployment? **Most likely, no. If a person is still working full-time, they would probably not be eligible for unemployment benefits. They could certainly still file a claim and see.**

How are you informed that you will qualify for COVID 19 assistance????
Workers who MAY qualify for extra unemployment benefits under the CARES Act are not directly informed of their potential eligibility, but must file claims to determine if they are eligible.

Person is a bus driver for school and they were receiving UI. Employer notifies employee and states they are paying the last 18 days of school without them working. How do they report this? **Earnings and other compensation from employers are reported with a person's weekly payment requests filed at - [http://uinteract@labor.mo.gov](mailto:uinteract@labor.mo.gov). Note that a person is NOT eligible for UI for any week in which they receive full pay from the employer.**

If a person lost some wages but got the one-time stimulus \$1,200, could that person still be eligible for UI through CARES? **The economic impact (stimulus) payment has no effect on eligibility for unemployment benefits – either regular UI or benefits through the CARES Act.**

MORE INFORMATION NEEDED

Can the employer stop you from getting unemployment if they have cut your hours but you are still working? **Need more details to answer this question adequately. A person may qualify for Pandemic Unemployment Assistance (PUA) (the benefit for people who are ineligible for regular Unemployment Insurance) if they are "partially unemployed" and meet one of the 10 COVID-19-related conditions listed in the CARES Act. Also, employers'**

Unemployment Insurance rates will not increase as a result of workers receiving PUA.

If you have to take a much lower paying job can you still get UI **Need more information to answer this question adequately. Are the jobs full-time, part-time, same job with pay decrease?**

What if there is a dramatic reduction in telework. Business is so slow there is no income coming? This is a second job. Income dropped by 30%. **Need more details to answer this question, especially whether both jobs are part-time or if either one is full-time.**

Is there any resolution coming about the people between 17-24 who are not meeting any criteria? **Need clarification about what the question refers to**

What if the person applies for UI and receives a notice that there is a pending investigation on their claim because wages were incorrectly posted to their account, how can they get the pandemic UI? **You can contact Missouri Department of Labor at 800-320-2519.**

What is an employer's obligation in presenting this unemployment change information vs. having it available if there are inquiries? **You can contact Missouri Department of Labor at 800-320-2519.**

Does Labor report to SSA and DFS? **You can contact Missouri Department of Labor at 800-320-2519.**

Economic Impact Payments

ELIGIBILITY

Can a person that is 18 that receives SSDI payment because Dad is on SSDI and the person is still in high school receive stimulus? Dad does not claim him and he does not file taxes. **Yes, he would appear most likely eligible. The CARES Act specifies that he could not be claimed as a tax dependent, which means no one else is paying for at least half his living expenses. However, even if another person were paying for half of his expenses, unless that person claims him as a dependent on their taxes, it's unlikely the IRS would find this out and determine he was ineligible for a payment.**

This is just a comment. My daughter is 17 and will be 18 in July and I received the \$500 amount for her. **Section 6428 of the CARES Act states that the \$500 increase in economic impact payments for each qualifying child applies if the child meets the definition of "qualifying child" in section 24(c) of the Internal Revenue Code. Section 24(c) states that a qualifying child "has not attained age 17".**

What if you haven't filed taxes in 2018 or 2019 and are supposed to are you still going to receive stimulus money? **The IRS's Coronavirus web pages provide this question and answer:**

“I haven't filed a federal tax return for 2018 or 2019 and don't receive Social Security retirement or any other federal benefits. What do I need to do to get a Payment?”

Answer: You have to provide basic information to the IRS to receive your Payment. The IRS urges you to take one of the following actions as soon as you can.

- You can use the [Non-Filers: Enter Payment Info Here](#) tool to provide simple information to the IRS so you can get your Payment. U.S. citizens and permanent residents can use this tool if they had gross income that did not exceed \$12,200 (\$24,400 for married couples filing jointly) for 2019 and were not otherwise required to file a federal income tax return for 2019, and didn't plan to do so. This is the quickest way to get your payment.
- You can file a federal income tax return for 2019 with the IRS even if you receive non-taxable income or do not make enough money to normally have to file a tax return.

Have your bank account information available when you use the tool or file so you can get your Payment as quickly as possible. Otherwise, the IRS will mail your Payment to the address you provide.”

I might be asking too early in the webinar, but a young adult with disability (19), claimed as dependent on parents taxes, and who receives Supplemental Security, they are not covered under the CARES act, correct and will not receive any additional funds? **Correct. Dependents who are age 17 or older at the end of the year are NOT eligible for economic impact payments. Qualifying children who will be under age 17 on December 31 will increase the amount of the payment for their family member(s) for whom they are dependents by \$500 per qualifying child.**

If a person with a disability is claimed as a dependent should they get their own \$1200 or are they part of the \$500 going to the person who claimed them? **They would not get a \$1200 payment, and their family would only get the \$500 payment if the person with a disability will be under age 17 at the end of the year.**

ECONOMIC IMPACT PAYMENTS AND OTHER BENEFITS

Do these deposits affect Food Stamps/EBT? **No. Economic Impact Payments do not count as income for Food Stamps.**

DIRECT DEPOSIT

Will those payments be deposited into the representative payee bank account? **For people who get benefits from Social Security that are directly deposited into bank accounts, and who don't file taxes, the Economic Impact Payments should be directly deposited into the same account.**

What happens if you did file taxes last year, but did not have a return (had to pay)? Will it still be direct deposited if they have your bank information? **The IRS web site does not specify.**

What if you owed taxes in 2019 and have not paid it, will you get the stimulus direct deposit? **See above.**

CHILD SUPPORT

What happens to the money being withheld from people who owe child support? **You can contact Missouri's Child Support Enforcement agency at (800) 859-7999.**

If the person who receives the extra CARES payment for SSI, unemployment or stimulus check owes child support...does the person get the full amount or is a portion taken out for child support? **The IRS web site does not specify.**

Will the withheld payment due to past-due child support go to the custodial parent? **You can contact Missouri's Child Support Enforcement agency at (800) 859-7999..**

Does overdue child support payments affect me if my husband owes but we filed married and jointly? **The IRS web site does not specify.**

PRIVATE CREDITORS

As a court appointed Guardian/Conservator over someone who receives SS, I have received a letter and invoice from the care facility where the person resides claiming they are entitled to the majority of the stimulus payment. I do not believe they are entitled to it per the CARES act and IRS rules; that it's for the needs/wants of the ward. I will be confirming this with the ombudsman but appreciate the other resources & Michael's opinion as well. Thank you.

Recommend reading - the National Consumer Law Center article at <https://library.nclc.org/protecting-against-creditor-seizure-stimulus-checks>

and contacting the state consumer affairs office, elder affairs office or local legal services agency for assistance.

If the resident of the LTC does not have a debt, can the facility still take the \$? Can the facility take the \$ for general improvements, as opposed to the individual's R&B? **Contact the the state consumer affairs office, elder affairs office or local legal services agency for assistance.**

MISCELLANEOUS

Will the stimulus payment be deducted from our return next year? **No.**
If a person has passed away and get this payment, can the money be kept, if not how do you send it back? **Nina Olson, the founder of the Center for Taxpayer Rights and former taxpayer advocate for the IRS, is quoted in this USA Today article**
[\(https://www.usatoday.com/story/news/politics/2020/04/15/coronavirus-dead-americans-receiving-stimulus-checks/5138163002/\)](https://www.usatoday.com/story/news/politics/2020/04/15/coronavirus-dead-americans-receiving-stimulus-checks/5138163002/) indicating that if a deceased person receives an economic impact payment, it does not need to be repaid.