

Identification Number EM-10092**Effective Date:** 12/22/2010**Intended Audience:**

All

RCs/ARCs/ADs/FOs/TSCs/PSCs/OCO/ODARHQ

Originating Office:

ORDP OISP

Title:**Title II & Title XVI Overpayment Reconsideration Requests – One-Time-Only Instructions****Type:**

EM - Emergency Messages

Program:**Title II (RSI); Title XVI (SSI)****Link To Reference:**

See References at the bottom of this EM.

Retention Date: June 22, 2011

The purpose of this message is to inform all technicians in the field office (FO) and program service center (PSC) that, without exception, we must make a determination on the reconsideration issue when we receive an SSA-561-U2 (Request for Reconsideration) for a Title II or Title XVI overpayment (OP).

A. Background

An overpaid individual or his or her representative may request a **reconsideration** when the overpaid person disputes the fact or amount of an overpayment. A **waiver** is a request for relief from making repayment. We are revising current policy to clarify that FO and PSC technicians must always make a formal determination on a Request for Reconsideration when it involves an OP, including implied waivers and OPs of \$1,000 or less and there will be no effect on payment status or the amount of the continuing or ongoing benefit, or both.

B. FO instructions for Title II OPs

If the FO receives an SSA-561-U2 for a Title II OP, stop recovery, and forward the material to the servicing PSC.

C. FO instructions for Title XVI OPs

If the FO receives an SSA-561-U2 for a Title 16 overpayment, stop recovery, and process the request per [SI 04020.030](#).

D. FO instructions for concurrent OPs

If the FO receives an SSA-561-U2 for a concurrent overpayment, see the **NOTE**: in

[GN 02201.025](#) – Overpayment – Reconsideration

[GN 03102.100](#) – The Reconsideration Process

[GN 03102.225](#) – Preparation of Form SSA-561-U2 (Request for Reconsideration)

[GN 03102.250](#) – Form SSA-561-U2 (Request for Reconsideration)

[GN 03102.325](#) – PC Reconsideration Processing Procedures

[GN 03102.425](#) – Reconsideration Notices of Determination

[GN 03102.450](#) – Form SSA-662, Reconsideration Determination

[SI 02220.017](#) – SSI Overpayment - Request for a Different Rate of Adjustment, a Reconsideration or a Waiver

[SI 04020.020](#) – Requests for SSI Reconsideration

[SI 04020.030](#) – Developing and Processing SSI Reconsideration Requests

MSOM [DMS 006.003](#) – Protest/Stop Recovery Request (PC) (DRPR)

MSOM [DMS 006.019](#) – Protest/Stop Recovery Request (FO) (DRPF)

MSOM [BUSSR 004.010](#) – Appeal (UOAP)

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