

**NATIONAL ORGANIZATION OF  
SOCIAL SECURITY CLAIMANTS' REPRESENTATIVES  
(NOSSCR)**

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***Executive Director***  
**Barbara Silverstone**

May 6, 2021

Matthew Ramsey, Executive Director  
Office of Privacy and Disclosure  
Office of the General Counsel  
Social Security Administration  
G-401 WHR  
6401 Security Boulevard  
Baltimore, MD 21235-6401

RE: Docket ID Number SSA-2020-0031

Submitted via [regulations.gov](https://www.regulations.gov)

Dear Mr. Ramsey,

These comments are submitted on behalf of the National Organization of Social Security Claimants' Representatives (NOSSCR), a specialized bar association for attorneys and advocates who represent Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) claimants throughout the adjudication process and in federal court.

NOSSCR staff has been working with SSA for many months to revise the agency's temporary institutionalization (TI) policy. Currently, SSI recipients who provide information while institutionalized that their stay in a hospital or nursing home is expected to be less than 90 days and that their SSI is needed to preserve the living arrangement they will be returning to, can continue receiving SSI during institutionalization for up to three months. NOSSCR has been encouraging SSA to simplify the documentation requirements and not assess overpayments against SSI recipients who would have qualified for continuing payment had they provided documentation during institutionalization.

If SSA finalizes the proposed matching program with CMS and receives information about nursing home admissions and discharge, SSA should consider information provided by CMS to meet the documentation requirements for continuing SSI payment under the TI rules. Additionally, SSA should not assess overpayments to SSI recipients whose institutionalizations met the TI rules if CMS, rather than the beneficiaries themselves, provided information on admission and discharge.

Allowing CMS data to fulfill TI documentation requirements will improve efficiency for SSA employees and SSI recipients, and allow SSI recipients to receive benefits that are greatly needed to preserve their living arrangements, financial stability, and quality of life.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Barbara Silverstone". The signature is written in a cursive, flowing style.

Barbara Silverstone

Executive Director