



Office *of the* Inspector General

SOCIAL SECURITY ADMINISTRATION

*Audit Report*

The Social Security Administration's  
Pre-release Procedures of  
Institutionalized Individuals

*A-02-14-24085 | February 2015*

**OIG** Office of the Inspector General  
SOCIAL SECURITY ADMINISTRATION

**MEMORANDUM**

**Date:** February 3, 2015

**Refer To:**

**To:** The Commissioner

**From:** Inspector General

**Subject:** The Social Security Administration's Pre-release Procedures of Institutionalized Individuals (A-02-14-24085)

The attached final report presents the results of our audit. Our objective was to determine the effectiveness of the Social Security Administration's processing of Supplemental Security Income claims under the Pre-release Program.

Please provide within 60 days a corrective action plan that addresses each recommendation. If you wish to discuss the final report, please call me or have your staff contact Steven L. Schaeffer, Assistant Inspector General for Audit, at (410) 965-9700.



Patrick P. O'Carroll, Jr.

Attachment

# The Social Security Administration's Pre-release Procedures of Institutionalized Individuals

## A-02-14-24085



February 2015

Office of Audit Report Summary

### Objective

To determine the effectiveness of the Social Security Administration's (SSA) processing of Supplemental Security Income (SSI) claims under the Pre-release Program.

### Background

Congress enacted legislation requiring that SSA provide a way for individuals to apply for benefits before they are released from a public institution. SSA's pre-release procedures were designed to ensure eligible individuals receive timely SSI payments when they re-enter the community. The pre-release procedures allow SSA to take and process an institutionalized individual's SSI application several months before the individual's anticipated release. It also allows for a prospective determination of potential eligibility and payment amount based on anticipated circumstances. The pre-release procedures apply to correctional facilities and other public institutions.

SSA will process applications for individuals likely to be eligible for SSI and expected to be released within 30 days of claim approval. SSA staff is instructed to expedite determinations of potential SSI eligibility for individuals applying under the pre-release procedures.

### Findings

While the Pre-release Program provided recipients in our review more timely SSI payments after their release from an institution, SSA's management of the Pre-release Program could be more effective. Specifically, SSI recipients who received pre-release assistance received their first SSI payment after release from an institution more timely than those whose initial applications were not processed as pre-release cases. However, the use of pre-release agreements varied among the States we reviewed.

SSA did not update agreements annually, as required by SSA's policy. Some institutional contacts reported they did not have a point of contact at SSA for the Pre-release Program and/or they were not aware their institution had an agreement with SSA.

SSA staff reported that the Pre-release Program did not have specific performance measures or goals to determine the Program's effectiveness.

### Recommendations

We recommend that SSA:

1. Manage the Pre-release Program consistently to ensure SSA has agreements with as many institutions as possible in each State.
2. Renew existing pre-release agreements as directed by policy.
3. Ensure all institutions with pre-release agreements are aware of their and SSA's responsibilities under the pre-release agreement and who to contact at SSA with questions.
4. Develop measureable performance indicators and goals to help measure SSA's effectiveness in providing individuals a way to apply for benefits before they are released from a public institution, which SSA is required to do by law.

SSA agreed with Recommendations 1, 2, and 3 but disagreed with Recommendation 4.

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## **ABBREVIATIONS**

DOJ	Department of Justice
EDCS	Electronic Disability Collect System
FO	Field Office
OIG	Office of the Inspector General
POMS	Program Operations Manual System
PUPS	Prisoner Update Processing System
RO	Regional Office
SSA	Social Security Administration
SSI	Supplemental Security Income
SSR	Supplemental Security Record

## OBJECTIVE

Our objective was to determine the effectiveness of the Social Security Administration's (SSA) processing of Supplemental Security Income (SSI) claims under the Pre-release Program.

## BACKGROUND

Congress enacted legislation<sup>1</sup> requiring that SSA provide a way for individuals to apply for SSI payments before they are released from a public institution. SSA's pre-release procedures were designed to ensure eligible individuals receive timely SSI payments when they re-enter the community. The pre-release procedures allow institutionalized individuals to submit an SSI application several months before their anticipated release. It also allows for a prospective determination of potential eligibility and payment amount based on anticipated circumstances. Per SSA's policy, pre-release procedures apply to institutions with potential pre-release populations, including institutions for persons with mental or physical disabilities<sup>2</sup> and correctional facilities.<sup>3</sup>

SSA processes applications for individuals likely to meet eligibility criteria for SSI payments when they are expected to be released within 30 days of claim approval. SSA staff is instructed to expedite determinations of potential SSI eligibility and payment amount for individuals applying under the pre-release procedures.

### Pre-release Agreements

Pre-release agreements are written or verbal agreements between an institution and SSA to cooperate in processing SSI applications and reinstatements.<sup>4</sup> An agreement may be a formal, written agreement signed by both parties, or informal, such as an unsigned written agreement or a verbal agreement. While a written agreement is not required to use the pre-release procedures, it is a means of ensuring all parties understand their responsibilities as they facilitate the newly released individual's re-integration into the community.<sup>5</sup>

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<sup>1</sup> *Social Security Act* § 1631(m), 42 U.S.C § 1383.

<sup>2</sup> SSA, POMS, SI 00520.910, *Pre-release Agreements with Institutions*, March 9, 2012.

<sup>3</sup> SSA, POMS, SI 00520.900, *Pre-release Procedure – Institutionalization*, May 4, 2009.

<sup>4</sup> Per SSA, POMS, SI 02301.205, *Suspension and Reestablishing Eligibility*, July 22, 2008, SSI recipients generally have 12 consecutive months after the effective date of a suspension to have benefits reinstated without filing an application.

<sup>5</sup> SSA, POMS, SI 00520.910, *Pre-release Agreements with Institutions*, March 9, 2012.

In a typical pre-release agreement, an institution agrees to

- provide SSA with a contact person (for example, social worker or re-entry coordinator) at the institution who will communicate with SSA's pre-release contact person to coordinate release of the individual who is leaving the institution;
- identify individuals released within 30 days after they establish potential eligibility;
- refer to SSA individuals who likely meet SSI eligibility requirements;<sup>6</sup>
- provide nonmedical information necessary for development of potential SSI eligibility;
- provide current medical evidence for the blind or disabled claimant;
- provide the SSA field office (FO) with the scheduled release date;
- report any subsequent changes to the scheduled release date, including a change that could result in release over 30 days, after notice of an approved claim; and
- notify the FO as soon as they release the claimant and provide the claimant's new address.<sup>7</sup>

In pre-release agreements, SSA, as represented by the FO or Regional Office (RO), agrees to

- provide guidelines for the information requested from the institution;
- help institutional and social services staff learn how to use the pre-release procedure;
- provide an FO contact person to assist the institution in applying pre-release procedures;
- process claims and reinstatements timely in the FO;
- identify pre-release cases for the disability determination services, which makes disability determinations, to ensure prompt handling; and
- with the applicant's authorization, notify the institution of the claim determination promptly.<sup>8</sup>

Each of SSA's 10 ROs oversees the Pre-release Program in its region. Each RO has a Pre-release Program staff coordinator who monitors existing pre-release agreements, helps ensure staff processes pre-release cases according to policy, serves as the Agency's liaison to institutions with pre-release agreements, increases SSA staff awareness of the Pre-release Program, and supports FO's processing of pre-release cases.

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<sup>6</sup> Pre-release also applies to Old-Age, Survivors and Disability Insurance claims, but this report solely focuses on SSI claims.

<sup>7</sup> SSA, POMS, SI 00520.910, *Pre-release Agreements with Institutions*, March 9, 2012.

<sup>8</sup> Id.

SSA is participating in the Federal Interagency Reentry Council whose mission is, in part, to assist those leaving prisons and jails to become productive, valued members of their communities. Over time, evidence shows that pre-release preparation can yield positive results in the crucial months after an offender returns to the community when he/she is at greatest risk of returning to prison.<sup>9</sup>

## Methodology

In response to our request, SSA provided us a list of almost 30,000 new SSI claims processed as pre-release cases between May 2008 and December 2012. SSA considers a new claim to be an individual applying for SSI for the first time or after having previously received SSI payments that were terminated. We reviewed 50 of these cases.

To compare the use of pre-release procedures for new claims to new claims where pre-release procedures were not used, we identified 3,771 individuals in 1 Supplemental Security Record segment who filed a new SSI claim after a period of incarceration but were not included on SSA's list of pre-release cases. We reviewed 50 of these cases.

We also requested that SSA provide a list of its pre-release agreements.<sup>10</sup> We selected the 1 State from each of SSA's 10 regions with the highest number of pre-release agreements in that region. Of the 341 pre-release agreements in the 10 States, we selected 5 institutions from each region and asked SSA to provide a copy of the pre-release agreements, for a total of 50 agreements. The Agency provided 42 of the 50 agreements<sup>11</sup> and confirmed the existence of 3 more verbal agreements.

We also attempted to speak with staff familiar with the pre-release procedures at each of the 50 institutions, but we were only able to speak with staff representing 46 of the institutions.<sup>12</sup> Additionally, we asked SSA's regional Pre-release Program coordinators about their role in the Program. See Appendix A for additional information on our scope and methodology.

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<sup>9</sup> *State of Recidivism – The Revolving Door of America's Prisons*, The PEW Center on the States, Public Safety Performance Project April 2011.

<sup>10</sup> We requested that SSA provide a list of facilities that serve adults. Institutions that serve only minors were outside the scope of our review.

<sup>11</sup> SSA's Atlanta Region was finalizing a formal pre-release agreement with the North Carolina Department of Corrections when we were preparing this report and did not provide us a copy of the formal agreement. This agreement would cover five institutions in North Carolina.

<sup>12</sup> We were unable to contact staff from four of the institutions. We mailed letters and made multiple telephone calls to the institutions, but were unable to solicit responses. The institutions were located in three States and had variously sized populations. The populations for the 4 institutions were 229; 846; 2,070; and 4,431.

## RESULTS OF REVIEW

While the Pre-release Program provided more timely SSI payments to the recipients we reviewed after their release from an institution, SSA's management of the Pre-release Program could be more effective. Specifically, SSI recipients who received pre-release assistance received their first SSI payment after their release from an institution more timely than those whose initial applications were not processed as pre-release cases. Specifically, the pre-release applicants we reviewed received their first SSI payment, on average, within 2.5 months of exiting an institution. Applicants who did not use the pre-release procedures received their first payment in an average 5.4 months. However, the use of pre-release agreements varied in the States we reviewed. While SSA had agreements with most or all State and Federal correctional facilities in some of the States we reviewed, it did not in others.

SSA did not update existing agreements annually, as required by SSA's policy. Forty percent of the SSA regional Pre-release Program coordinators we contacted also reported they did not provide information or training to staff in the institutions with agreements. Similarly, some institutional contacts reported they did not have a Pre-release Program point of contact at SSA and/or they were not aware their institutions had an agreement with SSA.

SSA staff reported that the Pre-release Program did not have specific program performance measures or goals to determine the Program's effectiveness.

### Timeliness of SSI Payments

Individuals who applied for SSI using pre-release procedures and who were eligible for SSI payments received their first SSI payment more timely than those who did not apply through the Pre-release Program.<sup>13</sup> Specifically, the pre-release applicants we reviewed received their first SSI payment in 2.5 months,<sup>14</sup> on average, after being released from an institution. Applicants who did not use pre-release procedures received their first payment in 5.4 months,<sup>15</sup> on average, after being released from an institution.

When SSA awarded a new initial SSI claim, 44 percent of individuals who received pre-release assistance received their payment within 1 month of release, compared to 24 percent of individuals who did not receive pre-release assistance. Similarly, almost 69 percent of the recipients determined eligible for SSI payments at the initial claims level who participated in the Pre-release Program received SSI payments within 3 months of release. Of those who did not receive pre-release assistance, 32 percent received an SSI payment within 3 months of release.

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<sup>13</sup> SSA determined these individuals were eligible for SSI payments at the initial claim level.

<sup>14</sup> The median number of months from the recipients' release to the receipt of their first SSI payments for the pre-release applicants was 2 months.

<sup>15</sup> The median number of months from the recipients' release and the receipt of their first SSI payments for those not receiving pre-release assistance was 5 months.

Ten of the pre-release cases and one of the initial claims that did not use pre-release procedures were favorably decided at the reconsideration or hearings level. These cases took longer than those decided at the initial claims level. The 10 pre-release cases took 16 months on average before the recipients received their first SSI payment after release from an institution. The one potential pre-release case took 11 months on average before the recipients received their first SSI payment.

## Oversight of Pre-release Agreements

According to SSA policy,<sup>16</sup> the Agency should establish and maintain pre-release agreements with institutions in their service areas. Specifically, FO staff is directed to identify all public institutions in its service area that have a potential pre-release population<sup>17</sup> and attempt to establish a pre-release agreement if one never existed or if a previous agreement was not being used.

Four of the 10 RO coordinators reported they relied on the institutions to initiate pre-release agreements. Another four coordinators reported that FOs identified the institutions with which to establish pre-release agreements. One RO coordinator reported that FOs contacted the institutions as well as responded to inquiries from correctional facilities about applications for inmates nearing their release dates. The remaining RO only responded that the region had a list of all existing pre-release agreements.

Of the representatives from the 46 institutions we interviewed, 21 indicated they contacted SSA to establish pre-release agreements. One representative reported that SSA initiated the pre-release agreement, and 24 representatives did not know or recall who initiated their agreements.

### *State Analysis*

We did not ask SSA to provide us every pre-release agreement it had to lessen the administrative burden our audit placed on it. Instead, we asked that it provide a list of the institutions in the State with the most agreements for each of SSA's 10 regions.<sup>18</sup> To determine the extent of pre-release agreement coverage, we compared the number of pre-release agreements each of the 10 States had with correctional facilities to the number of State and Federal correctional facilities in each of these States. While SSA had pre-release agreements with institutions other than

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<sup>16</sup> SSA, POMS, SI 00520.910 *Pre-release Agreements with Institutions*. (March 9, 2012).

<sup>17</sup> Per SSA, POMS, SI 00520.910, the public institutions with potential pre-release populations include, but are not limited to, institutions for persons with mental disabilities, mental retardation, or physical disabilities, medical treatment facilities, correctional facilities, and halfway houses.

<sup>18</sup> We requested and received from SSA the names of the institutions with which it had pre-release agreements in Maine (Region 1), New York (Region 2), Virginia (Region 3), North Carolina (Region 4), Wisconsin (Region 5), Oklahoma (Region 6), Missouri (Region 7), Colorado (Region 8), California (Region 9), and Alaska (Region 10).

correctional facilities, such as health institutions, most agreements were with correctional facilities.

While some of the States had agreements with most or all of the State and Federal correctional facilities in their State, others did not. Please see Table 1.

**Table 1: Comparison of the Number of Pre-release Agreements with Correctional Facilities to the Number of Correctional Facilities by Selected State**

Region	State Reviewed	Number of Correctional Facilities with Pre-release Agreements	Number of State and Federal Correctional Facilities
1	ME	7	7
2	NY	58	62
3	VA	42	42
4	NC	59	66
5	WI	36	37
6	OK	38	47
7	MO	14	23
8	CO	10	31
9	CA	38	99
10	AK	7	14

Some of the States with the highest State, prisoner, and SSI populations had lower ratios of pre-release agreements. For example, California had the highest overall State and SSI recipient populations and the second highest prisoner population but had fewer institutions covered by pre-release agreements, 38, than its 99 State or Federal correctional facilities. Similarly, Texas had the second highest State population, highest prisoner population, and third highest SSI recipient population but had only 26 institutions covered by pre-release agreements and 142 correctional facilities.

### *Pre-release Agreement Renewals*

Per SSA policy,<sup>19</sup> FOs and ROs should review and renew pre-release agreements annually to ensure they operate effectively. We were unable to determine whether SSA reviewed and renewed 21 of the 45 agreements in the last year because the agreements were not signed or dated. Of the 24 with dates, only 1 pre-release agreement was renewed within the last year. Of the remaining agreements, 13 were renewed between 5 and 10 years ago, and 10 were renewed more than 10 years ago.

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<sup>19</sup> SSA, POMS, SI 00520.910.D. *Pre-release Agreements with Institutions* (March 9, 2012).

When asked about renewing pre-release agreements with institutions, the RO Pre-release Program coordinators generally responded that the agreements did not need to be renewed annually. One RO reported that pre-release agreements were renewed if there were significant changes at the institution, such as new staff members who were unfamiliar with their responsibilities under the pre-release agreement. Another RO reported that some area directors in the region did not renew the agreements, and others renewed them every 5 years. Another RO reported that the agreements never expired so there was no need to renew them.

The ROs generally reported it was the FOs' responsibility to renew pre-release agreements with institutions. One RO split the responsibility of renewing pre-release agreements by having FOs renew pre-release agreements with local institutions, and the RO renewed agreements with State institutions.

Of the 46 institutions we contacted, 26 recalled when the pre-release agreement was initiated or last renewed. Of these 26 institutions, 6 reported their pre-release agreements were renewed in 2012 or 2013. The remaining institutions reported their agreements had not been renewed since 2011 or earlier.

### *Pre-release Program Communication*

Almost all ROs reported sending regional program messages to remind Agency employees about the Pre-release Program. One RO reported that it established a resource page on its regional Intranet Website dedicated to the Pre-release Program and procedures. Another RO reported that it did not promote awareness of the Pre-release Program with its FOs because of a lack of resources.

When asked how institutions are educated about the Pre-release Program, six ROs reported that they helped facility staff with the SSI application process, answered questions from facility staff, and/or trained facility staff. The remaining four ROs reported they did not provide information or training to institutions. For example, one of the ROs reported that it did not have enough resources to do so. Another RO reported that the region was not taking steps at that time to ensure institutional staffs were aware of the pre-release procedures.

Seven of the 46 institutions we contacted reported they would like someone from SSA to come to their facility to speak with staff annually or more frequently. Four of the 46 facilities expressed that they would like a designated employee to contact at SSA, while 2 additional facilities stated it was difficult to get in touch with SSA.

### *Pre-release Program Use Reported by Institutions*

Of the 46 institutions we spoke with, 12 reported they did not track the number of pre-release claims filed. Another 12 reported they did not assist individuals in their institutions with SSI applications. They reported they did not have an agreement, were unaware of the agreement, or no longer assisted individuals with pre-release procedures. For example, one institution's representative who was new to her position reported she was unaware of an agreement. Another representative reported her institution was not assisting inmates with SSI applications because it

was understaffed. As part of SSA's procedures for maintaining pre-release agreements,<sup>20</sup> SSA staff should ensure institutions still refer pre-release cases.

The facility contacts we interviewed reported they would assist more individuals in applying for SSI if SSA provided on-site training on pre-release procedures for institutional staff, the SSI application process was streamlined, and/or the institution had adequate resources to assist individuals before their release.

### *Pre-release Program Performance Measurement*

The RO coordinators reported that they did not have specific performance measures or goals for assessing the Program's effectiveness. One coordinator noted that the region did not track pre-release cases so it could not measure the impact of the Pre-release Program.

Of the 46 institutions we contacted, 22 said SSA's Pre-release Program was meeting its goal in ensuring eligible individuals received timely SSI payments when they reentered the community. Three institutions expressed that SSA's Pre-release Program was not meeting its goal. Of these three, one institution was not aware of any specific program for re-entry, another stated the local FO did not plan ahead or visit the facility, and the third stated that insufficient aid was provided to individuals. The remaining 21 institutions generally did not know whether the Program met its goal, provided no comment, or expressed that there were no metrics in place to measure the effectiveness of the Pre-release Program.

While 2 facility personnel we spoke with were dissatisfied with SSA's handling of pre-release claims filed by individuals from their facilities, 28 (82 percent) of the 34 personnel who rated SSA's handling of claims reported they were satisfied or very satisfied with it. The two individuals who were dissatisfied with SSA's handling of claims reported that better communication between the institutions and the Agency was needed.

## **CONCLUSIONS**

SSI recipients released from institutions whose cases were processed through the Pre-release Program received more timely payments than those who did not receive pre-release assistance when filing a new claim upon being released from an institution. While the Pre-release Program affected the timeliness of SSI payments, the Program's implementation varied. For example, SSA had agreements with all the State and Federal correctional facilities in some States but not others.

Also, the agreements were not renewed annually, as required, and some institutional contacts we interviewed were not aware that they had pre-release agreements with SSA. Lastly, SSA did not have performance measures to assess the impact of the Pre-release Program.

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<sup>20</sup> SSA, POMS, SI 00520.910.D. *Pre-release Agreements with Institutions* (March 9, 2012).

## RECOMMENDATIONS

We recommend that SSA:

1. Manage the Pre-release Program consistently to ensure SSA has agreements with as many institutions as possible in each State.
2. Renew existing pre-release agreements as directed by policy.
3. Ensure all institutions with pre-release agreements are aware of their and SSA's responsibilities under the pre-release agreement and who to contact at SSA with questions.
4. Develop measureable performance indicators and goals to help measure SSA's effectiveness in providing individuals a way to apply for benefits before they are released from a public institution, which SSA is required to do by law.

## AGENCY COMMENTS

SSA agreed with Recommendations 1, 2, and 3 but disagreed with Recommendation 4. Regarding Recommendation 4, SSA stated it already has established Agency-wide goals and performance measures for the Agency's major functions and operations. See Appendix C for the Agency's comments.

## OIG RESPONSE

While we understand SSA has Agency-wide goals and performance measures for its major functions and operations, it does not have a way to measure the effectiveness of the Pre-release Program. As the law requires that SSA provide a way for individuals to apply for SSI payments before they are released from a public institution, the Agency should have some method of measuring whether it is effectively meeting this legal obligation. The method of measurement does not have to rise to the level of an Agency-wide performance measure, but it should provide SSA management the information it needs to know whether it is effectively managing this program.

# *APPENDICES*

## Appendix A – SCOPE AND METHODOLOGY

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To accomplish our objective, we:

- Reviewed Social Security Administration (SSA) policy and procedures on residence eligibility in institutions and pre-release procedures.
- Reviewed reports of Federal and government agencies' efforts to assist individuals in integrating back into the community after release.
- Reviewed controls SSA had for the Pre-release Program.
- Obtained information from all SSA regions to gain an understanding of their management of pre-release agreements and to train employees on pre-release procedures.
- Obtained information from a sample of institutions with pre-release agreements to gain an understanding of the interactions they had with SSA in processing pre-release cases.
- Obtained State statistical data to compare to the number of pre-release agreements.
- Reviewed pre-release agreements that SSA provided and determined whether they contained information on the responsibilities of the institution and SSA in assisting Supplemental Security Income applicants.
- Identified 24,185 Social Security numbers that had a hold status, indicated by a payment status code of H10 or H80, between January 2011 and February 22, 2013. We matched the Supplemental Security Records (SSR) against data from the Prisoner Update Processing System (PUPS) and identified records with remarks on the SSR that indicated the individual had been in an institution. In total, we identified 3,771 individuals who had been in an institution that were not on SSA's list of pre-release claims. We reviewed a random sample of 300 of these individuals. We reviewed the SSRs, PUPS records and Modernized Supplemental Security Income Claims System, and determined that 205 of the 300 individuals were released from an institution during our audit period. Of the 205 claims, 53 were approved. We reviewed 50 of the 53 cases to determine the timeliness of the payment.
- Obtained from SSA a list of 29,848 pre-release cases extracted from the Electronic Disability Collect Systems that were initial claims between May 2008 and December 2012. We determined that 1,521 of the cases were from segment 16 of the SSR. We eliminated from our review 16 of the 1,521 SSNs because the individuals were less than 18 years of age. We randomly selected cases from these 1,505 records and reviewed the SSR to determine whether the individuals went into payment status after release from an institution. We continued to select cases for review until we identified 50 individuals who had a payment status after their release.

- We reviewed the SSRs of our sample records to determine when Supplemental Security Income payments were issued. We identified SSRs that had an appeal before a favorable decision and reviewed the timeliness of SSI payments after release of cases with an appeal separately from cases without an appeal for both pre-release participants and non-participants.
- We reviewed the SSRs of our sample records to determine whether individuals were released from a correctional facility.

The principal entities reviewed were Regional and Field Offices under the Office of the Deputy Commissioner for Operations. We conducted our review in New York, New York, from December 2013 through June 2014.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We tested the data obtained for our audit and determined them to be sufficiently reliable to meet our objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## Appendix B – SSA’s MODEL PRE-RELEASE AGREEMENT

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### Pre-release Agreement<sup>1</sup>

**Parties:** \_\_\_\_\_ (called the “facility”)

\_\_\_\_\_ (called the “local office”)

#### **The facility:**

1. Identifies patients or residents scheduled or considered for discharge from the facility within 30 days after the notice of the SSI eligibility decision or for whom eligibility for Social Security benefits has been established;
2. Provides the local SSA office with the names of potential pre-release applicants, as well as their social security number, date of birth, and anticipated discharge date;
3. Refers only those individuals who appear to meet the SSI income and resource criteria or those potentially entitled to Social Security benefits;
4. Provides nonmedical information for development of whether the individual meets all eligibility requirements;
5. Provides current medical evidence consistent with SSA guidelines and recommendations of the Disability Determination Services (DDS) and a statement about the individual’s ability to handle funds;
6. Notifies the local SSA office of any changes that could result in discharge over 30 days after the notice of the eligibility decision;
7. Notifies the local SSA office as soon as the facility discharges the patient or resident; and
8. Designates a liaison to:
  - o handle all referrals;

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<sup>1</sup> SSA’s Policy Operations Manual (POMS) SI 00520.930 *Exhibits of the Pre-release Procedure, Agreement, and Referral*. (March 9, 2012)

- notify the local SSA office of any pertinent changes; and
- respond to any local SSA office inquiries.

**The local SSA office:**

1. Provides guidelines for the kinds of information requested from the facility;
2. Reviews with facility personnel the pre-release procedures at least once a year and whenever procedures or the facility liaison changes;
3. Designates a local SSA office liaison to:
  - assist the facility’s staff in initiating and completing pre-release applications; and
  - respond to the facility’s inquiries.
4. Processes all pre-release claims in an expeditious and timely manner;
5. With the individual’s permission, notifies the facility of the eligibility decision.

Manager \_\_\_\_\_

Social Security Field Office \_\_\_\_\_

Date \_\_\_\_\_

Address & Phone \_\_\_\_\_

Superintendent \_\_\_\_\_

Facility Name \_\_\_\_\_

Date \_\_\_\_\_

Address & Phone \_\_\_\_\_

## Appendix C – AGENCY COMMENTS

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### SOCIAL SECURITY

#### MEMORANDUM

Date: December 30, 2014

Refer To: SIJ-3

To: Patrick P. O'Carroll, Jr.  
Inspector General

From: Katherine Thornton /s/  
Deputy Chief of Staff

Subject: Office of the Inspector General Draft Report, "The Social Security Administration's Pre-release Procedures of Institutionalized Individuals" (A-02-14-24085)--INFORMATION

Thank you for the opportunity to review the draft report. Please see our attached comments.

Please let me know if we can be of further assistance. You may direct staff inquiries to Gary S. Hatcher at (410) 965-0680.

Attachment

**COMMENTS ON THE OFFICE OF THE INSPECTOR GENERAL DRAFT REPORT,  
“THE SOCIAL SECURITY ADMINISTRATION’S PRE-RELEASE PROCEDURES OF  
INSTITUTIONALIZED INDIVIDUALS” (A-02-14-24085)**

**Recommendation 1**

Manage the Pre-release Program consistently to ensure that the Social Security Administration (SSA) has agreements with as many institutions as possible in each State.

**Response**

We agree. We will pursue opportunities to expand the number of agreements with as many institutions as possible in each State.

**Recommendation 2**

Renew existing pre-release agreements as directed by policy.

**Response**

We agree. We are in the process of revising our current policy to change the renewal period for agreements from annually to an as-needed basis. With increasing field office workloads and responsibilities, there is no practical or policy reason for us to renew pre-release agreements annually, as there are generally no changes in the terms or responsibilities of either party to the agreement. We will renew agreements when there is a change that necessitates renewal. We expect to revise our policy by March 2015.

**Recommendation 3**

Ensure all institutions with pre-release agreements are aware of their and SSA’s responsibilities under the pre-release agreement and who to contact at SSA with questions.

**Response**

We agree. We will issue a reminder to institutions stating the responsibilities of both parties to the pre-release agreement. In addition, we will continue our process to convert all possible verbal agreements into written agreements, thereby formally informing institutions of their and our responsibilities and providing them with contact information.

#### **Recommendation 4**

Develop measureable performance indicators and goals to help measure SSA's effectiveness in providing individuals a way to apply for benefits before they are released from a public institution, which SSA is required to do by law.

#### **Response**

We disagree. We already have established agency-wide goals and performance measures for the agency's major functions and operations as required by law.

## Appendix D – MAJOR CONTRIBUTORS

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