

Supplemental Security Income Payments to Confined Juveniles

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September 2017

Office of Audit Report Summary

Objective

To determine whether the Social Security Administration (SSA) was making improper Supplemental Security Income (SSI) payments to confined juveniles.

Background

On any given day, thousands of adolescents are confined in correctional facilities nationwide. Some of these juveniles receive SSI payments, which are intended to help pay for their basic needs, such as food, clothing, shelter, and medical care. Federal law requires that SSA suspend SSI payments for any full calendar month during which the beneficiary is confined in a correctional facility at public expense.

We requested juvenile justice departments in Florida, Illinois, Ohio, and Texas provide the names, Social Security numbers, dates of birth, and confinement dates for juveniles in their correctional facilities as of September 1, 2016. We reviewed SSA records for the juveniles to determine whether they received SSI payments while confined. We did not obtain information on all juveniles in custody. Because we conducted this audit for research purposes, we agreed not to take action or refer to SSA any specific juvenile or his/her legal guardian based on the data the States provided. Accordingly, SSA did not have the opportunity to validate our results.

Findings

SSA issued about \$1.7 million in improper SSI payments on behalf of 547 juveniles confined in correctional facilities in 4 States. While SSA had established overpayments for 274 of these juveniles, we identified 273 instances where SSA was unaware of all or part of the confinement period. We determined that 158 of these juveniles were confined for 6 months or longer without SSA's knowledge. Further, 229 juveniles were in current payment status when each State provided its data. Our findings are conservative because we did not receive data on all confined juveniles in all four States.

Although SSA has numerous memorandums of understanding (MOU) with correctional facilities to obtain information on incarcerated adults, it did not routinely obtain such information on all confined juveniles. Without MOUs, SSA must rely on other sources, such as self-reporting by juveniles' representative payees (for example, parent, legal guardian, relative, social agency, or institution). Unless such individuals notify SSA, it may continue making monthly SSI payments while the juvenile is confined, thus creating overpayments.

According to SSA, some States may refuse to provide information on confined juveniles in their custody because of privacy laws. SSA also told us that States could decide not to share their juvenile data for reasons other than privacy laws since sharing data with SSA is voluntary. However, SSA told us it did not collect and maintain data on State facilities it had contacted that refused to provide juvenile data. As such, it is unclear to what extent privacy laws or other reasons have prevented SSA from entering into agreements with State correctional departments to obtain information on confined juveniles.

Recommendation

We recommend that SSA contact State juvenile correctional departments to discuss the feasibility of obtaining information on confined juveniles to ensure SSA does not improperly pay SSI recipients. In doing so, SSA should determine the most cost-beneficial ways to obtain such information.

SSA agreed with our recommendation.