

SSA issues interim final rule regarding waiver of certain overpayments during COVID-19 pandemic

The SSA has issued an interim final rule with request for comments to revise its regulations on how the agency waives the recovery of certain overpayment debts. The SSA will apply the interim final rule when an affected beneficiary requests waiver of certain overpayment debts that accrued during a portion of the COVID-19 pandemic period.

Under this rule, the agency may waive recovery of these overpayment debts using a streamlined internal process. Since the overpayment debts at issue occurred because of the circumstances surrounding the COVID-19 national public health emergency, the SSA is assuming that they are not the fault of the affected beneficiaries due directly to its strategic decision to reprioritize workloads to stop manually processing certain actions, and it would be against equity and good conscience to collect them.

In particular, qualifying overpayment debts include those incurred between March 1 to September 30, 2020, that the SSA did not manually process as a result of its cession of certain activities, and that the agency identified by December 31. The SSA expects that the interim final rule will allow it to maintain effective stewardship of the Social Security programs, while simultaneously ensuring that affected beneficiaries are not disadvantaged by agency actions during this unprecedented national public health emergency. The interim final rule is effective on August 27, 2020. Comments are due by October 26, 2020.

For further information, contact Edward Sosar, Office of Regulations and Reports Clearance, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235-6401, (410) 966-2341. See 85 *Fed. Reg.* 52909, August 27, 2020.