

## Know Your Rights

### Social Security Overpayments

An overpayment occurs when Social Security finds you have gotten more money in your check than you should. This can happen due to such things as a change in your:

- » Earned income or employment status
- » Living situation
- » Marital or disability status

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Do not ignore a notice of overpayment. Timelimits may apply, so act quickly.

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## You have the Right to Dispute an Overpayment

Social Security will send you a notice of overpayment in writing. The notice must contain your:

- » Overpayment amount
- » Overpayment cause
- » Repayment options
- » Appeal rights

## Your Options to Resolve an Overpayment

You have three options to resolve an overpayment:

- » **FILE** a request for reconsideration if you disagree with the overpayment or believe that the amount is incorrect.
- » **FILE** a request for waiver if the overpayment was not your fault and you cannot repay it.
- » **NEGOTIATE** a payment plan if you do not dispute the overpayment.

Appeal if You are Denied. Appeal rights are on the decision notice and are time limited, so act immediately.

## 1. Request for Reconsideration

SSA Form 561-U2

- » **FILE** your request within 30 days of the notice date to stop collection efforts. The absolute deadline to file is within 60 days.
- » **STATE** that you disagree with the amount of the overpayment.
- » **ASK** on the form that no money be withheld from your check until a final decision is reached.
- » **CONTACT** the Ticket to Work Call Center at 1-886-988-7842 to find out if Work Incentives may be available to you.

## 2. Request for Waiver

SSA Form 632-BK

- » **FILE** your request at any time, including if your request for reconsideration is denied. File within 30 days of the notice date to prevent money being taken out of your check.
- » **PROVE** to Social Security that the overpayment was not your fault and that you cannot afford to repay the money owed.
- » **ASK** on the form that no money be withheld from your check until a final decision is reached.

## 3. Negotiate a Payment Plan

- » **REQUEST** a payment plan from your local Social Security office. No form is necessary.
- » **SUGGEST** a monthly amount that you can afford as well as an income & expense statement that supports your proposal.
- » **ASK** that no money be withheld from your check until a final decision is reached
- » **CONTACT** Social Security immediately if you are unable to make the full payment.

Disability Rights Oregon no longer can assist with overpayment Issues. Additional information can be found at <http://www.socialsecurity.gov/online/ssa-561.html> or call Social Security at 1-800-772-1213

