

**From:** DeStefano, Elena (OPWDD) <Elena.DeStefano@opwdd.ny.gov>  
**Sent:** Tuesday, April 7, 2020 8:26 AM  
**Subject:** Economic Incentive Payment Treatment by Benefit Paying Programs

Dear Directors and financial benefits staff:

The Recovery Rebate under the 2020 CARES Act (also known as an economic incentive) will be automatically sent to anyone under income limits who filed a tax return for 2018 or 2019, or receives Social Security payments or veterans benefits. This will cover many of the people receiving OPWDD services, but not all. As of the time of this email, individuals receiving ONLY Supplemental Security Income who did not previously file an income tax return will have to do so (<https://apps.irs.gov/app/freeFile/> if desired).

NYS OTDA has stated that for current SNAP (f/k/a Food Stamps) recipients, federally funded stimulus payments received under the CARES Act will be excluded as a non-recurring, lump sum payment and will be excluded from consideration as a resource for a period of 12 months following receipt of the payments. Their memo will be posted at: <http://otda.ny.gov/policy/gis/2020/>. Social Security has said that they will not consider economic impact payments as income for SSI recipients, and will exclude the payments from resources for 12 months: <https://www.ssa.gov/news/press/releases/2020/#4-2020-1>. Medicaid has stated they will follow Social Security guidelines, will not treat the payment as income in the month received and will treat it as an exempt resource for the following 12 months for both individuals receiving SSI and those not receiving SSI.

Please note these payments are not income, and thus pursuant to 633.15(f), residential providers should not be using them to make provider payments until the resource exemption expires and then only if the person is over the asset limit for benefit programs. These stimulus payments are part of the individual's resources and may be used by the individual for personal spending at any time.

Please share this information with anyone at your agencies who may have need of it.

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