

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

### 200.06.04 OVERPAYMENT RECOVERY

Unearned income includes that part of a benefit that has been withheld to recover a previous overpayment. However, the amount withheld to reduce a prior overpayment is not included as income if double counting would result. Double counting (counting the unearned income twice) would result if:

- The individual received both SSI and the other benefit (or deemed income using the other benefit) at the time the overpayment of the other benefit occurred; and
- The overpaid amount was included in figuring the SSI payment (and resulting Medicaid eligibility) at the time.

This policy applies to the following types of benefits:

- Annuities and pensions
- Retirement or disability benefits (including veteran’s pensions and compensation)
- Workers’ Compensation
- Social Security benefits
- Railroad Retirement benefits
- Unemployment benefits
- Black Lung benefits

Overpayment means “overpayment as defined by the entity paying the benefit” and may include overpayments made to someone other than the person whose benefits are withheld.

**Example:** Joe Jones started receiving RSDI benefits and SSI in January 2010. His SSI terminated in December 2010. In January 2011, he received a notice explaining that he was overpaid \$150 in RSDI benefits from April 2010 through August 2010 and \$30 will be withheld from his RSDI benefit from March 2011 through July 2011 to recover the overpayment. Since the overpaid amount was used to determine his SSI payment from April 2010 through August 2010, the \$30 a month overpayment recovery is not included in the determination of his countable unearned income for March through July 2011.

Do not apply this exception if the individual was determined ineligible for SSI based on countable income that included the overpayment and no SSI payment was received for the months the overpayment occurred.