§ 416.1332 Termination of benefit for
disabled individual: Exception.

Special SSI cash benefits (see §416.261) will be payable for the period
beginning January 1, 1981, and ending
June 30, 1987 if you meet eligibility re-
quirements in §416.262. These require-
ments apply if you, as a disabled recipi-
ent, are no longer eligible for regular
SSI benefits because you demonstrate
that you are able to engage in SGA.

[47 FR 15325, Apr. 9, 1982, as amended at 50
FR 46763, Nov. 13, 1985]

§ 416.1333 Termination at the request
of the recipient.

A recipient, his legal guardian, or his
representative payee, may terminate
his eligibility for benefits under this part
by filing a written request for ter-
mination which shows an under-
standing that such termination may
extend to other benefits resulting from
eligibility under this part. In the case
of a representative payee there must
also be a showing which establishes
that no hardship would result if an eli-
gable recipient were not covered by the
supplemental security income pro-
gram. When such a request is filed, the
recipient ceases to be an eligible indi-
vidual, or eligible spouse, effective
with the month following the month
the request is filed with the Social Se-
curity Administration unless the re-
cipient specifies some other month.
However, the Social Security Adminis-
tration will not effectuate the request
for any month for which payment has
been or will be made unless there is re-
payment, or assurance of repayment, of
any amounts paid for those months
(e.g., from special payments which
would be payable for such months
under section 228 of the Act). When the
Social Security Administration effec-
tuates a termination of eligibility at
the request of the recipient, his legal
guardian, or his representative payee,
notice of the determination will be
sent in accordance with §416.1404, and
eligibility, once terminated, can be re-
established, except as provided by
§416.1408, only upon the filing of a new
application.

[42 FR 39100, Aug. 2, 1977]

§ 416.1334 Termination due to death of
recipient.

Eligibility for benefits ends with the
month in which the recipient dies. Pay-
ments are terminated effective with
the month after the month of death.

§ 416.1335 Termination due to contin-
uous suspension.

We will terminate your eligibility for
benefits following 12 consecutive
months of benefit suspension for any
reason beginning with the first month
you were no longer eligible for regular
SSI cash benefits, federally-adminis-
tered State supplementation, special
SSI cash benefits described in §416.262,
or special SSI eligibility status de-
scribed in §416.265. We will count the
12-month suspension period from the
start of the first month that you are no
longer eligible for SSI benefits (see
§416.1320(a)) or the start of the month
after the month your special SSI eligi-
bility status described in §416.265
ended. This termination is effective
with the start of the 13th month after
the suspension began.

[60 FR 8153, Feb. 10, 1995, as amended at 64
FR 31975, June 15, 1999]

§ 416.1336 Notice of intended action af-
flecting recipient’s payment status.

(a) Advance written notice require-
ment. Advance written notice of intent to
discontinue payment because of an
event requiring suspension, reduction
(see subpart D of this part), or termi-
nation of payments shall be given in all
cases, prior to effectuation of the ac-
tion, except where the Social Security
Administration has factual informa-
tion confirming the death of the recipi-
ent, e.g., as enumerated in §404.704(b)
of this chapter, or a report by a sur-
viving spouse, a legal guardian, a par-
et or other close relative, or a land-
lord.

(b) Continuation of payment pending
an appeal. The written notice of intent
to suspend, reduce, or terminate pay-
ments shall allow 60 days after the date
of receipt of the notice for the recipi-
ent to request the appropriate appel-
late review (see subpart N of this part).
If appeal is filed within 10 days after
the individual’s receipt of the notice,
the payment shall be continued or rein-
statement of the previously established