

113TH CONGRESS
2D SESSION

H. R. 4401

To amend title II of the Social Security Act to provide for the immediate designation of substitute representative payees, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 4, 2014

Mr. SCHRADER (for himself and Ms. BONAMICI) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to provide for the immediate designation of substitute representative payees, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Security Tem-
5 porary Emergency Payee Act”.

6 **SEC. 2. SUBSTITUTE REPRESENTATIVE PAYEES.**

7 (a) IN GENERAL.—Section 205(j)(1) of the Social Se-
8 curity Act (42 U.S.C. 405(j)(1)) is amended—

9 (1) in subparagraph (A), by striking the second
10 sentence; and

1 (2) by adding at the end the following:

2 “(C) If the Commissioner of Social Security or a
3 court of competent jurisdiction determines that the rep-
4 resentative payee for an individual has died, has misused
5 any individual’s benefit paid to such representative payee
6 pursuant to this subsection or section 807 or 1631(a)(2),
7 or has otherwise become unable or unwilling to continue
8 serving as a representative payee, the Commissioner of So-
9 cial Security shall—

10 “(i) immediately revoke certification for pay-
11 ment of the individual’s benefits to such representa-
12 tive payee; and

13 “(ii)(I) notwithstanding paragraph (2), as of
14 the date of the revocation required under clause (i),
15 certify payment of such benefits, on a permanent or
16 temporary basis, to a qualified organization (as de-
17 fined in paragraph (4)(B)) to serve as a substitute
18 representative payee for the individual; or

19 “(II) if the interest of the individual under this
20 title would be served thereby, certify payment of
21 such benefits to the individual.”.

22 (b) NO DEFERRAL OF BENEFIT PAYMENT DURING
23 SELECTION OF SUBSTITUTE PAYEE.—Section
24 205(j)(2)(D) of such Act (42 U.S.C. (j)(2)(D)) is amend-
25 ed—

1 (1) in clause (i), by striking “clause (ii)” and
2 inserting “clauses (ii) and (iii)”;
3 (2) by redesignating clause (iii) as clause (iv);
4 and
5 (3) by inserting after clause (ii) the following:
6 “(iii) This subparagraph shall not apply with respect
7 to the selection of a representative payee for an individual
8 in any case in which a representative payee has previously
9 been designated for such individual.”.

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