Support Coordinators shall give the Person training, support, and opportunities to manage finances to the maximum extent possible. Support Coordinators shall document the handling of personal funds in a way that is not harmful or embarrassing to the Person and supports the intent of the income source. A Team may determine how a Person can be assisted with financial matters, recommend the type of financial support a Person may need, and refer the Person for review by a Human Rights Committee. The Support Coordinator or Provider Agency staff should act as Representative Payee only in a situation where no other knowledgeable, financially competent adult willing to take on Representative Payee responsibilities can be identified.

PROCEDURES

1. Representative Payee Support
   
   A. When the Team and/or Social Security Administration staff determines a Representative Payee is needed, the Support Coordinator shall support the Person to obtain and define the role of a Representative Payee.

   B. If desired, a licensed physician or psychologist may provide determination that documents the Person's mental or physical deficits and states that the Person lacks the capacity to give informed consent concerning financial matters.

   C. The Representative Payee may be someone who is appointed by the court who:

   i. is interested in or concerned with the Person's welfare;
   ii. is selected with the participation and consent of the Person whenever possible;
   iii. is able to act for the Person in receiving and managing the Person's funds as per the Social Security Administration policy; and
   iv. is willing to perform as Representative Payee without pay.

   D. Copies of the Representative Payee's monthly records shall be forwarded each quarter to the Support Coordinator. The Support Coordinator will review deposits and withdrawals for each Person for unusual transactions that they may want to follow-up with the Provider Agency. Copies of monthly records shall be filed by the Support Coordinator in the Person's file.

   E. At the annual contract review by the Quality Enhancement team, actual financial records will be reviewed for a sample of Representative Payee files. Region staff may also be involved in initial and follow-up reviews.

   F. If the Department does not have guardianship or conservatorship and the Division has not been named as Representative Payee by the Social Security Administration, the Support Coordinator will request that the Person/Representative sign a Voluntary Financial Support Agreement, Division Form 1-3, allowing the Department to act as Representative Payee.
G. The **Support Coordinator** who is to act as **Representative Payee** shall develop a written service plan of protective payments for the **Person** with input from the **Person/ Representative**. The plan must include steps to enable the **Person** to work toward personal management of financial affairs, as well as a budget and projected use of savings.

H. When a **Support Coordinator** acts as **Representative Payee**, the **Support Coordinator** shall use **Department Form 298**, Disbursement Request, to list monthly disbursements and to assure that all disbursements over $500 have the signed approval of a **Supervisor**. **Department Form 298** is for use only by **Division** staff acting as **Representative Payee**.

I. If the **Representative Payee** continues for more than two years without the **Person**’s ability to manage finances improving, the **Support Coordinator** will review the need for **Representative Payee** and make a determination that the person continues to need **Representative Payee** supports or recommend and implement other actions determined to be in the person’s best interest.

J. When a conservator is appointed by a court of law, protective payments shall be made to the conservator. Court appointment of a conservator shall terminate the services of the **Representative Payee**.

K. Anyone may request an agency conference or a hearing at any time on any **Division** action. If the matter is in regard to the appropriateness of the **Division** acting as **Representative Payee**, the funding agency will be notified of the hearing. If the hearing determines that **Representative Payee** status is inappropriate, the **Representative Payee** must notify the funding agency in writing, and send a copy of the hearing decision to the funding agency.

L. When the **Person** for whom entitlement benefits are received moves out of the **Region**’s service area, it is the responsibility of the **Region Office** to procure a new **Representative Payee** and transfer remaining funds and related historical records within 30 days.

M. When an account is to be closed, the **Support Coordinator** must notify the **Representative Payee** in order that appropriate postings are made to the ledger sheet.

N. When Social Security payments are involved, transferring an account to a new **Representative Payee** must conform to Social Security Administration policy. In all other cases, a transfer of the account to a new **Representative Payee** requires written notice to the **Person/ Representative** and the new **Representative Payee** along with a copy of the ledger sheet, the account balance, and a courtesy copy of the letter written to the funding agency.

O. When a **Person** receiving **Representative Payee** services dies, the **Support Coordinator** shall:
   i. notify the funding agencies (e.g., **Medicaid**, regional contract unit, Social Security Administration) of the **Person**’s death;
   ii. contact the Social Security Administration, if necessary, about paying for the cost of the **Person**’s burial;
   iii. assure that the **Person**’s **Representative Payee** pay any outstanding financial obligations including burial expenses from the **Person**’s account;
iv. assure that funds remaining in the account following payment of debts and burial expenses are disbursed by the Representative Payee as follows:
   a. to heirs if the account contains less than $25,000 upon delivery of a signed affidavit, Form 860 per Utah Code Annotated 75-3-1201; or
   b. to State Treasurer for accounts exceeding $25,000 or if the Person has real property or accounts with less than $25,000 unclaimed 60 days after the Person’s death per Utah Code Annotated 67-4a-301 through 67-4a-303.

v. The Support Coordinator shall notify the Region Director if the Person’s account exceeds $25,000 or if the Person has real property. The Region Director then notifies the State of Utah Attorney General’s Office so probate may be initiated in the District Court.

P. The Support Coordinator will complete a closure summary and close services on all Division and Department Forms within 30 days of the Person moving out of the service area or 60 days of a Person’s death.

Q. The Region shall establish procedures to authorize Representative Payee services when no other Division services are utilized.