



Representative Payee

If you receive Social Security Retirement, Social Security Disability Insurance, Supplemental Security Income or Railroad Retirement benefits, but the Social Security Administration (SSA) or Railroad Retirement Board (RRB) believes that you are unable to manage your finances in a way that provides for your basic needs, a “Representative Payee” may be appointed to help you. If you receive Veterans Benefits (VA), this person is called a “Fiduciary.”

A Representative Payee or Fiduciary is not the same thing as an Agent under your Power of Attorney or Advance Health Care Directive. Your Representative Payee or Fiduciary is only authorized to talk to the administering program on your behalf and will manage ONLY your benefit income.

Who will be the Representative Payee or Fiduciary?

You can ask to have a specific person be considered for your Representative Payee or Fiduciary. If you have a Power of Attorney, you might want to have your Agent be your Representative Payee or Fiduciary too.

If you do not suggest a person, the SSA, RRB, or VA will try to find someone who knows you to do the job. To become a Representative Payee or Fiduciary, a person or organization must first apply and be approved by the SSA, RRB, or VA. If a person is not readily available, an organization might be hired to act as your Representative Payee.

What is the Representative Payee or Fiduciary allowed to do?

The Representative Payee or Fiduciary can only use your benefits to pay for your needs. They are not allowed to use your money for their own use. This means that your money must be kept separate from their money. The Representative Payee or Fiduciary must be able to provide an accounting to the benefits administrator (SSA, RRB, or VA) if one is requested.

Because the Representative Payee or Fiduciary has access to your benefit income, they hold quite a bit of power over your money. If you feel like your Representative Payee or Fiduciary is not handling your money properly or is stealing from you, notify your local SSA, RRB, or VA office immediately.

If you believe that your Representative Payee or Fiduciary is using your money improperly, you might want to get help from an attorney. Call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to talk to an attorney for free.

IMPORTANT NOTE: The Representative Payee may **not** charge a fee for their services without written approval from the SSA or RRB. The Representative Payee only has authority over your Social Security or Railroad Retirement benefit income. This means that they are not in charge of your other sources of income or savings, and have no other legal authority over you.

What if I disagree?

You have the right to appeal any decision made by the Social Security Administration (SSA),

the Railroad Retirement Board (RRB) or the Veterans Affairs (VA). This means that you can appeal the decision that you need a Representative Payee or Fiduciary. You can also appeal the decision of who will be your Representative Payee or Fiduciary.

You have 60 days to appeal a decision by contacting the SSA or RRB. For more information on how to appeal, see “Appealing Benefit Determination Decisions” in the Social Security, Railroad Retirement, and Veterans Benefits sections.

Resources

Legal Services for Maine Elders

If you are a Maine resident who is 60 or older and you think your Representative Payee or Fiduciary is using your money improperly, call the Legal Services for Maine Elders Helpline at 1-800-750-5353 to speak to an attorney for free.

Maine Disability Rights Center

If you are under 60, the Maine Disability Rights Center might be able to help you with an appeal if it relates to your disability. Call the Disability Rights Center at 1-800-452-1948.

Social Security Administration

To find answers to frequently asked questions about Representative Payees, [visit the SSA website by clicking here.](#)

Veterans Affairs

To learn more about the VA Fiduciary program, [visit the VA website by clicking here.](#)

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