



1450.5 General

The Railroad Retirement Board (RRB) is responsible not only for selecting a representative payee but also for monitoring the payee to determine if the annuitant's rights are being protected.

Upon selection by the RRB, the representative payee assumes a continuing responsibility to keep informed of the annuitant's current and future needs, to spend benefits in a reasonable and prudent manner and to periodically account for the use of railroad retirement benefits. The payee also agrees to inform the RRB of any changes in the annuitant's status, including any custody changes.

Monitoring programs are designed to verify custody in parent for child payee situations and to elicit an accounting of benefits from court-appointed and RRB-appointed payees. Monitoring may also be done outside the programs whenever the need arises.

1450.10 Who Must Account/Verify Custody

All court-appointed and RRB-appointed payees must account for the use of railroad retirement benefits and verify the custody arrangement of the annuitant.

All parents selected as payees for their children will be required to verify custody triennially (once every 3 years). Form G-99d, Parental Custody Report, will be used. Custody verification alone satisfies accountability for this category of payee.

1450.15 Forms Used To Account/Verify

Form G-99a, Representative Payee Report, and Form G-99d, Parent Custody Report, are computer-printed letters used as the initial contact with the representative payee during the annual monitoring programs. They are released from Headquarters and are designed to be returned to the servicing field office. The claim number, payee's name and address, annuitant's name and field office address are printed on Forms G-99a and G-99d.

Forms G-99a and G-99d are available on RRAILS. These forms can be printed from RRAILS and used as tracing letters if the original requests are not returned.

If the field office determines that additional accounting is required after reviewing Forms G-99a or G-99d, the field office will complete Form G-99c, Representative Payee Evaluation Report. Form G-99c is also used when monitoring is needed outside the annual monitoring program. Form G-99c is available on RRAILS.



Monitoring June 9, 2010

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1450.20 Selection of Payees for the Annual Monitoring Program

The Railroad Retirement Board (RRB) will conduct representative payee monitoring of most RRB-selected and court-appointed payees on a triennial basis. We select one-third of these payees each year according to the last two digits of their claim number. Those representative payees which are considered to be "high-risk" will be monitored annually. A "high-risk" representative payee is one who meets one or more of the following criteria:

- Has previously used any of the annuitant's funds for their own expenses. See item 7 of Form G-99a; or
- Has been convicted of a felony or misdemeanor under the statutes administered by the RRB or the Social Security Administration. See item 9 of Form G-99a ; or
- Was required to complete a Form G-99c, "Representative Payee Evaluation Report," in a previous monitoring effort.

RRB selected and court appointed representative payees who do not meet the "high-risk" criteria will continue to be monitored triennially.

The monitoring program began in 1987 with the selection of account numbers ending with digits ranging from 01-33 inclusive. Each successive year in the three-year cycle requires selection of the next one third group of payees, until all cases have been monitored. Thus, digits 34-66 were monitored in 1988 and digits 67-00 were monitored in 1989. When all cases have been monitored, the cycle will begin again. Payees put in pay status after the monitoring selection has passed for their account number will be included on the next cycle selecting those digits.

Beginning in 1989, the RRB began representative payee monitoring of all parent for child payees every third year.

Headquarters will release Forms G-99a and G-99d to the selected payees in current payment status receiving a railroad only or combined railroad/social security benefit. Payees are only required to account for railroad retirement annuities even if they are receiving a combined railroad/social security payment.

Payees who have an annuity in suspense status will be selected and included on the field office control listing. See instructions in FOM 1450.25.



1450.25 Field Office Handling of Rep Payee Monitoring Cases on Universal STAR (USTAR)

The Universal Star (USTAR) Program will be updated with the annual representative payee monitoring cases when the monitoring program is initiated. All representative payee cases selected for the annual monitoring program will be listed on the USTAR database. The Payment Analysis and Systems Section in Policy and Systems (P&S-PAS) will notify each field office when the new cases are posted on USTAR. The representative cases' can be identified by a six-digit USTAR category code which will be in the following format; F/O number, followed by R (the 'R' is for representative payee), followed by the two-digit monitoring year. For example, the representative payee monitoring cases for the Atlanta field office for the 2010 effort will be coded as 101R10. A detailed description of the USTAR posting listing and of the field office's handling instructions for USTAR representative payee monitoring cases is presented in FOM 1450.25.1 and FOM 1450.25.2, below.

1450.25.1 Description of Representative Payee Cases on USTAR

Each representative payee monitoring case on USTAR will contain the same information.

- The claim number, annuitant name, and annuity payee code will be displayed in the **Annuitant Info** section of the USTAR WORK DETAIL screen,
- The representative payee name and address, railroad annuity payment status, rep payee code, address GEO code, railroad annuity rate, social security benefit rate, and supplemental annuity rate will be displayed in the **Source Remarks** section of the USTAR WORK DETAIL screen as shown in the example below:

JAMES SMITH FOR EDNA R SMITH |P O BOX 100 JONES GA 30200 \
Zipcode: 30200 PayStatus: CPSRepPayeeCode: 2-Board GEO_Code: 220 RR Rate:
228.00 SS Rate: 694.60 Supp Rate: No SUPP

- Monitoring results are to be recorded in the **Disposition Handling** Section of the USTAR WORK DETAIL screen.

1450.25.2 Accessing and Using USTAR for Handling Rep Payee Monitoring Cases

A. Accessing Universal STAR (USTAR)



Step	Action
1	From BoardWalk, click on Applications from the BoardWalk Resources menu.
2	From the Associated Links menu, click on Universal Star.

B. Using USTAR to Handle Rep Payee Monitoring Cases

The three field office tasks for managing representative payee monitoring cases (assigning cases, reporting or recording monitoring results for cases, and viewing and printing open and/or completed case reports) can all be handled on USTAR.:

1) Assigning Rep Payee Monitoring Cases on USTAR

District office managers will access the USTAR UTILITIES Menu to assign cases to staff.

Step	Action
1	From the Universal STAR Main Menu, click on Utilities Menu.
2	<p>From the Utilities Menu Choices, click on Assign Open Work by Division/Unit/Category. The Utilities – Assign Open Work Menu will appear.</p> <p>Make sure that the Division, Category Unit, and Category Code designations are correct for your region, your field office, and for rep payee monitoring cases, e.g., '101-R10: Rep Payee Monitoring – 2010' would be for the Atlanta Field Office's 2010 rep payee monitoring cases.</p> <p>One-third of rep payee cases are selected for monitoring by digit range each year, so the overwhelming majority of cases (with the exception of high-risk rep payee cases) for a year will already be grouped by the ranges of 00-33, 34-66, or 67-99. To select all of the monitoring cases for a year, retain the default digit range of 00-99. To select a smaller set of cases within the preset ranges of 00-33, 34-66, or 67-99 (depending on the particular year's digit range), reset the digit range within the year's preset range as desired.</p>



3	<p>Click the 'View Work for Code' button.</p> <p>All rep payee monitoring cases for the selected unit (field office) and digit range will be displayed. To assign the cases, make sure that the User's subunit is correct, select the desired Username from the Subunit list by highlighting the Username using the drop-down arrow, make sure the digit range is as desired, and click the highlighted word "Select" to the left of the claim number that you want to assign. The screen will refresh and display the Username assigned to the case under the "Assign To" column, along with a 30 day "Due Date", and the Username of the "Assigned By" official.</p> <p>NOTE: To retract a rep payee monitoring case assignment, click the highlighted word "Select" to the left of the claim number of the assigned case again and the screen will refresh. The "Assign To", "Due Date", and "Assigned By" designations next to the previously assigned case will be removed.</p>
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2) Reporting Results for Assigned Rep Payee Monitoring Cases

Upon the return of the completed G-99a monitoring form, review the form according to instructions in FOM-I-1450.35. When you are ready to record the monitoring results and close out the case, you will need to access and use the Work Detail screen for the assigned rep payee monitoring case.

3) Accessing the Work Detail Screen

To record a result and close out a rep payee monitoring case assigned on USTAR, you can access the case by either using the Check Claim Number menu or the Examiner/User menu from the USTAR Main menu, as described below:

- a. When using the Check Claim Number menu, enter the claim number (and prefix if a six-digit claim number) in the appropriate box and click Search. USTAR assignments for that claim number will be displayed. Click on the claim number for the rep payee monitoring case and the Work Detail screen for the rep payee monitoring assignment will appear.
- b. When using the Examiner/User menu, click on the Review Pending Exam Work (1) button or Review All Pending Work (4) button from the EXAMINER WORK MENU CHOICES. USTAR assignments for that Username will be displayed. Click on the claim number for the rep payee monitoring case desired and the Work detail screen for the rep payee monitoring assignment will appear.



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4) Using the Work Detail screen to Record Monitoring Results and Close Out Assigned Rep Payee Monitoring Cases

Step	Action
1	Make sure that the claim identifying information (claim number, annuitant name) is correct in the Annuitant Info section, the USTAR Category Code and year (Rep Payee Monitoring) is correct in the CATEGORY INFORMATION section, and the representative payee, address, and rate information is correct in the Source remarks section of the WORK DETAIL SCREEN.
2	To record the monitoring case result and close out the USTAR assignment, click on the Disposition Handling button. The Work Disposition screen will appear.



3

Select a Disposition Type from the Choose a Disposition drop down menu pull down menu.

Acceptable Performance Codes - If the rep payee's performance is acceptable, enter one of the following codes in the "Acceptable Performance" area on the paper control listing:

AR

=

Accceptable Rep Payee Performance, Rep Payee Retained;

AD

=

Accceptable Rep Payee Performance, Annuitant Deceased;

AA

=

Accceptable Rep Payee Performance, Annuitant Now Competent;

AC

=

Accceptable Rep Payee Performance, Rep Payee Changed Due To The Death Of The Rep Payee.

"High Risk" Codes:

CR

=

Personal Interview (C 99C) Required, Rep Payee Retained;



4	Click the Submit button to record the case monitoring result and to close out the assignment.
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Note: USTAR users reporting rep payee monitoring case results should use the Remarks section as necessary to inform of any information captured during the monitoring effort.

5) Accessing and Using USTAR Reports

USTAR Reports allows certain users to view and/or print case status reports for both Open and Closed cases. This function is restricted (by access level) for use by managers, supervisors, and leads.

Step	Action
1	Click on "Reports" from the USTAR main menu.
2	A) To view reports on Open Work cases for rep payee monitoring, select the Open Work Category (8) from the REPORT MENU CHOICES. B) To view reports on Closed Work cases for rep payee monitoring, select the Closed Category Report (12) from the REPORT MENU CHOICES NOTE: For reports on Closed Work cases, you will need to use the calendars on the Closed Work menu to set a beginning and ending date period for the closed work.
3	Select the appropriate region and click REVIEW Division FLDR.
4	Select the appropriate field office from the Category Unit drop down menu and click View Report for _____. All work categories for the office selected will be displayed.
5	Click on the "Un-Check All" button to clear the pre-selected categories.
6	Check the Rep Payee Monitoring box .



7	To view a report on the number of open or closed USTAR records for the selected field office, click on the "View Summary" button. The number of open or closed rep payee monitoring cases for the designated office will be displayed. NOTE: When selecting a Summary report on Closed Work cases, check the 'Division' Viewing Choice on the Closed Work menu.
8	To view a report on the details of open or closed USTAR records for the selected field office, click on the "View Details" button. A list of specific cases of open or closed rep payee monitoring cases will be displayed. To view a WORK DETAIL SCREEN for a listed case, click on the claim number for the desired case on the listing. NOTE: When selecting a Details report on Closed Work cases, you check the 'Category Unit' Viewing Choice on the Closed Work menu.

1450.25.3 Handling Cases in Suspense

Cases in suspense are being listed to ensure that: 1) a payee investigation is being done; or 2) the case is monitored if benefits will be reinstated to the old payee following the recovery of an overpayment or an annuity adjustment.

If a payee investigation is being done in a suspended case, and a new payee is selected, enter a "UC" disposition handling code on the Universal Star (USTAR) representative payee transaction. The new payee will be monitored in the next annual program.

If benefits will be reinstated to the old payee in a suspended case, control for the return of the monitoring form. Pend for a response in 30 days. Review Form G-99a according to the instructions in FOM-I- 1450.35. If no response is received in 30 days, release a Form G-99a marked "SECOND REQUEST." Continue with the tracing procedure in FOM-I-1450.30.

1450.30 Control and Tracing Monitoring Forms

When a form is received, review according to procedure in FOM-I-1450.35. Record the results on the Universal Star (USTAR) representative payee transaction according to procedure in FOM-I-1450.25.1.

Forms G-99a and G-99d indicate that they should be returned in 15 days. Allow the payee 30 days to return the original forms.



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1450.30.1 Form G-99a Not Returned in 30 Days

Prepare two copies of the SECOND REQUEST Form G-99a. Date both copies; release one to the payee and retain the other as a control. Pend for 15 days.

Exception: In the case of an institution or agency which is payee for more than one annuitant, the field office at its option may schedule an appointment to secure the completed Forms G-99a while on regular itinerant service in the area.

1450.30.2 Second Request Form G-99a Not Returned in 15 Days

Attempt to contact the payee by phone to schedule an interview to complete Form G-99c. Arrange the interview as soon as possible. If phone contact is not successful or not possible, release Form Letter RL-25F (or Form Letter RL-53-F) to arrange the interview. Pend for 15 days.

If the payee refuses to cooperate in scheduling an interview or you receive no response to the Form Letter RL-25F, suspend the annuity. Investigate to determine if a new payee is needed or if the annuitant can now manage his or her own funds.

1450.30.3 Form G-99d-Not Returned in 30 Days

Prepare two copies of the SECOND REQUEST Form G-99d. Date both copies; release one to the payee and retain the other as a control. Pend for 15 days.

1450.30.4 Second Request Form G-99d Not Returned in 15 Days

Attempt to contact the payee by phone to schedule an interview to complete Form G-99c. Arrange the interview as soon as possible. If phone contact is not successful or not possible, release Form Letter RL-25F (or Form Letter RL-53-F) to arrange the interview. Pend for 15 days.

If the payee refuses to cooperate in scheduling an interview or you receive no response to the Form Letter RL-25F, suspend the annuity. Investigate to determine if a new payee is needed or if the annuitant can now manage his or her own funds.

1450.35 Reviewing Form G-99a

Review Form G-99a for proper completion. Entries are always required in items 1, 2, 7, 8 and 9. Completion of items 3, 4, 5 and 6 is dependent upon the circumstances in each individual case. If a court appointed payee has a court accounting document less than 1 year old, it should be submitted in lieu of completing items 3, 4, 5 and 6. In addition, the



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responses must be acceptable according to the guidelines in this section. Unacceptable responses will require an in-person interview and completion of Form G-99c.

Omissions and conflicting responses should be resolved through direct contact with the payee, whenever possible. Phone contact is acceptable; however, some telephone reports need to be confirmed in writing.

If the payee's explanation is simple, such as a misunderstanding, annotate the original Form G-99a to show how the matter was resolved. Show the correct response in red, sign your name and give the date.

If the payee's response is complex, request that the payee put the response in writing above his or her signature and sent it to the field office. Document the telephone contact and pend for the written confirmation for 30 days. If written confirmation is not received in 30 days, contact the payee again in order to schedule an interview to complete Form G-99c.

1450.35.1 Custody

For accounting purposes, custody means "living with." If the annuitant lives alone or with someone other than the payee, the payee does not have custody of the annuitant.

Custody does not mean guardianship or legal custody awarded by a court. For example, if a child of divorced parents lives with his father, despite a divorce settlement which awarded custody of the child to his mother, the father has custody for accounting purposes; if an aged man lives with his daughter even though his son is his court-appointed guardian, the daughter has custody for payee accounting purposes.

1450.35.2 Evaluating Responses on Form G-99a

A. Item 1

This item must always be completed. If it is not, contact the payee to determine if the annuitant's custody changed during the report period. If the direct contact indicates that the annuitant's custody changed (other than very temporary situations such as short vacations, weekend visits or summer camp), or that there is a potential problem with the payee's performance, Form G-99c should be completed. When the payee is an institution and direct contact reveals that the annuitant has been discharged or on leave for more than 30 days, arrange an interview with the payee to complete Form G-99c.

If item 1 is answered "NO", the field office must contact the custodian to verify that the annuitant is still living with him or her. If the G-99a indicates that the



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annuitant lived with more than one custodian during the reporting period, the current custodian should be contacted.

The field office may make this contact with a telephone call to the custodian and need only verify that the custodian does have custody of the annuitant. The field office should document this contact, use Contact Log, for their own records and should also notate that the contact was made in the General Remarks section of the Universal Star (USTAR) representative payee transaction. If the field office's records indicate that the custodian is new and has never received a Form Letter RL-107F from the Railroad Retirement Board, a Form Letter RL-107F should be released to the custodian.

If the contact with the custodian reveals that the annuitant no longer lives with the custodian, the field office should arrange an interview with the payee to complete Form G-99c.

B. Item 2

The answers to this item should coincide with information in our files. If not, contact the payee to determine if a change in payee is needed.

If this item is omitted, but the remaining items are acceptable, take no further action. If a direct contact is required for some other reason, also note the answer to item 2.

C. Items 3, 4, 5 and 6

These items must always be completed unless there is a court appointed payee who has a current court accounting document.

If the items are not completed, contact the payee for his responses to those items. If you do not receive satisfactory responses as outlined in D. through I., set up an interview to complete Form G-99c.

D. Acceptable responses to item 3

If the annuity has been in pay status for the entire report period, an amount equal to approximately 12 times the current annuity rate is an acceptable answer. If the annuity payments began during the report period, the amount entered should approximate the payments made during the period.

If item 3 is not completed, or the amount entered is not close to the amounts paid during the report period, contact the representative payee for clarification.



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E. Acceptable responses for item 4

Only dollar amounts are acceptable. Do not accept "All" or a percentage. See F. if item 4 is answered with "All" or a percentage.

Any amount that is \$300.00 or more is acceptable if the amounts in items 4 and 6 add up to approximately 12 times the current annuity rate. See G. if item 4 is less than \$300.00.

The control listing shows the amount of the current check components (RR, SUPP, SS) after deductions for Medicare and taxes. The SS benefit is not to be included in the accounting.

F. Response to item 4 is "All" or a percentage

Contact the payee in order to obtain a dollar amount if the response to item 4 is "All" or a percentage. If the payee cannot provide a dollar amount during the direct contact, explain to the payee that a second Form G-99a will be released and that a dollar amount must be in item 4. Pend the case for 15 days after the release of the second request Form G-99a. If it is not returned within 15 days, schedule an interview to complete Form G-99c.

G. Response to item 4 is less than \$300.00

Contact the payee for an explanation as to how the annuitant's needs are being met if the response to item 4 is less than \$300.00. For example, other income such as Department of Veteran Affairs benefits, workers compensation, other pensions or annuities or another assistance program is being used to support the annuitant and meet his needs; or the annuitant is not ambulatory or is otherwise severely disabled and has very limited needs. If the payee does not provide a satisfactory explanation during the direct contact, arrange an interview to complete Form G-99c.

H. Acceptable responses to item 5

The amounts entered in item 5 should add up to the amount entered in item 4. If item 5 is not completed, or the amount entered is not close to the amount entered in item 4, contact the representative payee for clarification.

I. Acceptable responses to item 6

If the amount shown in item 4 is less than the total benefits issued during the reporting period, the payee must explain how the remainder is being handled. Any amount of unused benefits should be kept fully secured and available only



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for the beneficiary. See item J if the payee states that bank accounts are holding conserved funds, but the title or ownership registration of the accounts has not been provided. See item K if the explanation given in item 6 is questionable. Refer to FOM-I-1405.20.3 and FOM-I-1450.35.3 when conservation of funds is involved.

J. The title or ownership registration of bank accounts holding conserved funds is not provided

Contact the payee in order to obtain the title or ownership registration of any savings or checking accounts if the payee indicated in item 6 that more than 1 month's annuity rate in funds was conserved. If the payee will not provide this information within 15 days, schedule an interview to complete Form G-99c.

K. The explanation of unused benefits is questionable

1. A direct contact is necessary to determine how the remaining benefits are being used if they are not used for the annuitant and are not conserved. If the direct contact does not provide a satisfactory explanation, schedule an interview to complete Form G-99c.
2. In some instances, a payee may show an amount in item 6 that exceeds the total received during the reporting period. The payee may have conserved funds from a previous year. See FOM-I-1450.35.3 below if there are conserved funds of more than \$150.00.

L. Item 7

This item must always be completed. If the representative payee answers "Yes," set up an interview to complete Form G-99c.

If the payee is retained after the Form G-99c interview, he or she should be referred to Payment Analysis and Systems of Policy & Systems as a "high-risk" representative payee according to FOM 1450.25.1.

M. Item 8

This item must always be completed. The information obtained in item 8 should be used to check that any reductions to an annuitant's benefit are being applied. This information can also be used to evaluate the use of RRB benefits by the representative payee within the context of the annuitant's total income.

N. Item 9



This item must always be completed. If the representative answers "Yes", develop for another representative payee. If all efforts to develop another representative payee are unsuccessful, contact Field Service, Office of Programs, for further assistance.

If the payee is ultimately retained, he or she should be referred to Payment Analysis and Systems, Policy & Systems, as a "high-risk" representative payee according to FOM 1450.25.1.

O. Certification

Check the certification section for the representative payee's signature and daytime phone number. If the form has not been signed, send the Form G-99a back to the payee with a letter requesting his signature. (Photocopy the Form G-99a before returning it to the representative payee.) Pend the case for 15 days. If it is not returned within 15 days, schedule an interview to complete Form G-99c.

Also, if the form has been signed by someone other than the representative payee, contact the payee and schedule an interview to complete Form G-99c.

1450.35.3 Conserved Funds

Generally, it is recommended that conserved funds of \$150.00 or more be held in interest-yielding accounts. However, direct contact or other development for the purpose of making such a recommendation should not be initiated unless it is required for some other reason.

If direct contact reveals that the payee is conserving funds for some vague purpose, for prior debts or to reimburse himself for prior support of the annuitant, schedule an interview to complete Form G-99c.

Also, if direct contact reveals that funds may be conserved in an unacceptable manner (e.g., funds are held in the payee's home or have been invested in a company, corporation or association in which the payee has a personal interest) complete Form G-99c.

1450.40 Form G-99c

When Forms G-99a and G-99d are not returned or direct contact does not provide acceptable responses to questions on Forms G-99a and G-99d, an interview must be conducted with the payee, the annuitant and in some cases the custodian to complete Form G-99c. G-99c will also be completed whenever there has been an allegation of improper use or misuse of benefits by the payee. The information from the payee is



verified, i.e., the annuitant and/or the custodian interview will corroborate the payee's report.

Form G-99c interviews may be conducted by telephone although face-to-face interviews are preferred.

It is impossible to discuss every situation which may arise when evaluating a payee's performance. It may be necessary for the interviewer to make a judgmental decision based upon observation and his own knowledge of the case. All decisions should be made in accordance with Railroad Retirement Board policies and procedures and the guidelines set forth in this section.

1450.40.1 Scheduling the Interview(s)

As soon as you determine that the Forms G-99a or G-99d responses are unacceptable or there is an allegation of improper use of benefits by the payee, attempt to schedule an interview with the payee to complete Form G-99c. Fully document every attempt to contact the interviewee, even unsuccessful attempts.

- A. Interview with the payee - Use Form RL-25-F to call in the payee for an interview at the field office or itinerant point.

If the payee returns Form RL-25-F indicating he cannot meet the field office representative, contact him by phone as soon as possible. Determine if the payee will be in a position to appear for an interview within a reasonable time period (about 30 days).

If the payee fails to cooperate or is not available for an interview within 30 days, advise him that payments will stop and we will attempt to select another payee. Suspend the annuity only if the beneficiary is apparently not receiving funds from the representative payee. Otherwise, allow payments to continue until a new payee is selected.

- B. Interview with the annuitant - An interview with the annuitant is required unless:
1) According to the annuitant's doctor, it would be detrimental to the annuitant's health; 2) The annuitant is unable to communicate due to severe disability (physical or mental); or 3) The annuitant is a child under 16.

Attempt to arrange an interview with the annuitant to coincide with the payee's interview if the annuitant lives with the payee. However, be sure to interview the annuitant alone so that his answers are not influenced by the payee. If the annuitant is not physically able to travel to the field office or itinerant point, attempt to interview the annuitant by phone.



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- C. Interview with custodian - Interview the custodian only if he is not the payee and:
1) The annuitant cannot be interviewed; 2) A substantive discrepancy exists between the payee and annuitant interview responses; or 3) The annuitant's custody changed during the report period.

Use form RL-53-F to schedule the interview. If there is no response to this request, attempt to contact the custodian by telephone to set up an interview. No response from the custodian may be indicative of a problem situation. Re-contact the payee for a possible explanation of the situation.

1450.40.2 Completion of Form G-99c

Fill in the identifying data at the top of the Form G-99c from the information on the field office control listing. The field office interviewer must complete the form to document the payee evaluation. Under no circumstances should the payee, the annuitant or the custodian be allowed to complete the form.

A. Completion of Part I - Information from payee

1. Guardianship status - A change in guardianship status may indicate a need to evaluate the payee's performance. Consider the following when obtaining guardianship information:
 - a. Has a court appointed someone other than the payee to be guardian? If so, why?
 - b. Is the payee merely a conduit of railroad retirement funds?
2. Custody - For payee accounting purposes, custody means "living with."

Consider the following when interviewing the payee:

- a. A change in custody which has not been reported to the RRB may precede misuse;
 - b. An annuitant who lives alone may be capable of handling his own funds;
 - c. An institution generally should not continue to be payee for an annuitant who has been on leave for more than three months.
3. Demonstration of concern - A payee who demonstrates strong concern for the annuitant generally performs his duties properly.



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- a. Learning about the annuitant's needs. The payee must have a satisfactory method of learning the annuitant's needs such as a regular discussion with the annuitant or his custodian. The payee should not assume that he will be told of the annuitant's needs by someone else;
 - b. Contact with the annuitant. If the payee and annuitant do not live together, the payee must keep in touch with the annuitant. Frequent visits are preferred. If this is impossible, occasional visits and contact by phone or mail may suffice.
 - c. Funds for personal spending. Funds for personal needs are important to the annuitant regardless of the custody situation or the payee's perceptions of its necessity. If personal needs are met from another source of income, railroad retirement benefits need not be used.
4. Use of Benefits - An annuitant's needs will vary considerably depending upon his physical and mental condition and living arrangements. The amount of railroad retirement benefits used to satisfy those needs will vary with the amount of other income available;
- a. Payee is conduit of funds. When a payee turns over the railroad retirement funds to the annuitant or another person(s), consider changing the payee or making direct payment;
 - b. Care and maintenance. The payee must give the highest priority to the current needs of the annuitant. When the annuitant is not institutionalized, current needs include rent, food and utilities. When the annuitant is in an institution, the payee must determine the portion of benefits used to meet institutional charges and the amount used for needs not provided by the institution. Consider whether entitlement to Medicare, Medicaid or some other health insurance program may have paid part of the charges;
 - c. Amount paid to another party for care and maintenance. An answer here may indicate a conduit payee;
 - d. Clothing. Consider the age and condition of the annuitant and amount of the benefit when determining whether this entry is proper. For example, a teenage child is likely to need more clothing than an elderly person with limited mobility;



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- e. Personal spending. This entry should include the cost of recreational activities such as outings and expenditures for newspapers, magazines or hobbies;

Institutionalized annuitants generally use personal funds for items not included in the care and maintenance charges. These include toiletries, canteen items, recreational needs or travel expenses for the payee or a close relative to visit the annuitant;

- f. Other expenditures. Expenditures for other items should be shown and explained here. These include medical and dental expenses, insurance premiums, past debts, support of spouse or children or guardianship costs;
- g. Total amount used. Self-explanatory;
- h. Record keeping. The payee should keep a record of expenditures. Receipts or cancelled checks are required for unusual or expensive items. Also verify expenditures for those items with the annuitant or custodian;
5. Conserved funds - See discussion in FOM-I-1450.35.3 regarding conserved funds. If funds are conserved in an unacceptable manner, advise the payee of RRB recommendations regarding amount and acceptable manner of conserving funds for the annuitant. Also see FOM-I-1405.20.3;
6. Other income - Determine whether the annuitant's other income effects his entitlement to or use of railroad retirement benefits.
- If there is another payee for the annuitant's other income and a payee change is necessary, this individual may be a potential replacement payee;
7. Felony/Misdemeanor Convictions - If the payee has been convicted of a felony or of a misdemeanor under the statutes administered by the RRB or SSA within the past 15 years, develop for another payee. If all efforts to develop another representative payee are unsuccessful, contact the Field Service, Office of Programs, for further assistance;
8. Remarks - Document any unusual expenditures, findings or circumstances here.

B. Completion of Part II - Information from Annuitant



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If the annuitant cannot be interviewed, explain in item 4, Remarks.

1. All custody situations - Responses to items a. through e. are important to evaluation regardless of the custody situation.
 - a. Awareness/Decisions. The annuitant should know that he is entitled to railroad retirement benefits because: he has the right to appeal the payee selection unless he is a minor child or is legally incompetent; he could avoid lengthy interruption of payment in the event of the payee's death or incapacitation; or, he may wish to be aware of decisions regarding expenditures;
 - b. Large purchases. Consider the following when asking about a large purchase:
 - A large purchase should meet a need of the annuitant;
 - Personal funds should not be depleted to make a large purchase;
 - The annuitant should participate in the decision, if at all possible.
 - c. Unmet needs. Determine whether the annuitant feels he has unmet needs and if so, whether they are a result of poor payee performance or another problem which should be corrected. Unmet needs should not be confused with the annuitant's unrealistic desires.
 - d. Custody. Verify the custody situation reported by the payee.
 2. Annuitant not in payee's custody - Verify the manner and frequency with which the payee kept in touch with the annuitant. If someone other than the payee regularly visits and shows concern for the annuitant, that individual may be a possible alternate payee;
 3. Annuitant lives alone - Consider whether the annuitant can manage his own funds;
 4. Remarks - Report all unusual conditions or discrepancies in the responses here.
- C. Completion of Part III - Information from Custodian



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1. Custodian not the payee

- a. Verification of the payee's report should be made with the custodian with whom the annuitant lived during the last 6 months of the report period. If there was more than one custodian during that time, contact the custodian for the longest amount of time.
- b. In an emergency involving the annuitant, if the custodian would notify someone other than the payee, ask the name and address of the person and the reason the payee would not be notified first. Explain in remarks.
- c. Verify: the amount the payee reported for care and maintenance in item f.; if the payee showed concern for the annuitant in item g.; and the amount the payee provided for the annuitant's personal use in item (h);
- d. If the custodian manages the annuitant's personal use funds, be sure he has a bookkeeping system or other means of keeping records of the funds given to the annuitant.
- e. Commingled funds. Make certain that adequate records are maintained of the amount of each annuitant's share of the funds.

2. Remarks - Report any unusual conditions or discrepancies here.

D. Part IV - Evaluation and Action Taken

The payee accounting (Part I) and verification interviews (Part II and/or Part III) must be considered in the evaluation and documentation summarized in Part IV. Problems encountered, observations or other knowledge of the case which affect the evaluation must be included in the documentation.

1450.40.3 Follow-up Contact Required

When the payee is the best available choice, but has neglected a certain responsibility, advise him of steps that must be taken to correct the situation. Follow-up with a personal contact to be sure the problems have been corrected. Phone contact is permitted.

Situations which require a follow-up contact include:

- Poor benefit management;



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- Contact with the annuitant is infrequent (the payee has not seen the annuitant in 3 months);
- Conserved funds are not properly held;
- Poor record keeping.

When a follow-up contact is necessary, pend the case for 90 days. Contact the payee at that time to determine if corrective action has been taken. If you are not satisfied with the payee's responses, consider a change in payee.

When a follow-up contact is required, but the payee has been retained, this should be reported on the monitoring control listing that is returned to the regional office. See FOM-I-1450.25.1.

1450.40.4 Change of Payee May Be Required

After evaluating Form G-99c responses, and after a follow-up contact if necessary, consider changing the payee in the following instances:

- The payee has not contacted the annuitant in more than 3 months;
- A substantive discrepancy exists about expenditures;
- The annuitant has been permanently discharged from an institution or has been on leave for more than 3 months.
- If a disabled annuitant can now manage benefit payments, to DBD to evaluate whether the annuitant has recovered from disability.

1450.40.5 Who Must Sign Form G-99c

The representative payee and the custodian, if interviewed, must sign the form in Part IV.

The RRB representative(s) who(m) conducted the interview(s) must sign the form in Part V. If different interviewers and/or different field offices have completed the Form G-99c, both must sign the form and the completed Form G-99c should be filed with the field office that has control of the representative payee file.



1450.40.6 Misuse of Funds Indicated

Based upon the interview responses on Form G-99c, if misuse of funds is indicated, take action to document the file. This will include signed explanations from the payee concerning the questionable situations targeted by the Form G-99c interviews. If the payee cannot or will not give a satisfactory explanation, take action to replace the payee. Suspend the annuity. Take action outlined in FOM-I-1440.20.3.

1450.40.7 Reporting Form G-99c Findings to Headquarters

When the Form G-99c has been completed, the form should be imaged. If the Form G-99c was completed before the reporting deadline as part of the annual monitoring program, a brief summary of the findings should be notated on the monitoring control listing under "Acceptable" or "Unacceptable" performance, as appropriate. If the Form G-99c was completed outside the context of the annual monitoring program, e.g., an allegation of misuse of funds; or if the Form G-99c was completed after the reporting deadline for the annual monitoring program, a summary of the findings and planned action in the case should be entered on Contact Log and e-mailed to Headquarters. If the payee is to be retained, this information can be put in a memo and imaged for documentation purposes. If the payee will be dismissed, follow the instructions in FOM 1415.20.2 regarding a change of payee.

1450.45 Reviewing Form G-99d

Review Form G-99d for proper completion. Entries are always required in items 1 and 6. Completion of items 2, 3, 4 and 5 must be completed only if the reply in item 1 is "NO." The responses must be acceptable according to the guidelines in this section. Unacceptable responses will require an in-person interview and completion of Form G-99c.

Omissions and conflicting responses will be resolved through direct contact with the payee whenever possible. Phone contact is acceptable.

If the payee's explanation is simple, such as a misunderstanding, annotate the original Form G-99d to show how the matter was resolved. Show the correct response in red, sign your name and give the date.

If the payee's response is complex, fully document the telephone contact on Contact Log.



1450.45.1 Custody

Generally, custody means "living with." Thus, if the annuitant lives alone or with someone other than the payee, the payee would not have custody of the annuitant.

Custody does not mean guardianship or legal custody awarded by a court. For example, if a child of divorced parents lives with his father, despite a divorce settlement which awarded custody of the child to his mother, the father has custody.

However, if the annuitant does NOT reside with the payee, custody can be "deemed" if the payee is responsible for making decisions concerning the annuitant.

1450.45.2 Evaluating Responses on Form G-99d

A. Item 1

This item must always be completed. If it is not, contact the payee. If the reply to item 1 is "YES," only items 1 and 6 need to be completed. If the reply to item 1 is "NO," items 2, 3, 4 and 5 (and 6) must be completed.

B. Items 2, 3, 4 and 5

Items 2, 3, 4 and 5 must be completed if the reply to item 1 is "NO," if any one of these items is not answered, contact the payee.

Items 3 and 5 are crucial in determining if the current payee should be use retained, replaced or if the annuitants may be able to handle their own benefits. Items 2 and 4 should be used to aid in these decisions.

1. RETAIN PAYEE IF - Item 3 indicates that the child resides in a (public or private) hospital, school, rehabilitation center or otherwise sheltered environment and item 5 indicates that the payee is responsible for decisions concerning the child;
2. REPLACE PAYEE IF - Item 3 indicates that the annuitant does not reside with the payee and item 5 indicates that someone other than the payee is responsible for decisions concerning the child;
3. ANNUITANT MAY BE ABLE TO HANDLE OWN BENEFITS IF - Item 3 indicates that the payee resides alone, in an independent environment or with a friend or relative, and item 5 indicates that the annuitant is responsible for making his or her own decisions.

C. Item 6



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Photocopy the form if it is not signed. Keep one copy as a control. Send the other back to the payee with a letter requesting his signature. Pend for 15 days. If it is not returned in 15 days, schedule an interview to complete Form G-99c.

Also, if the form is signed by someone other than the representative payee, attempt to contact the payee and schedule an interview to complete Form G-99c.

