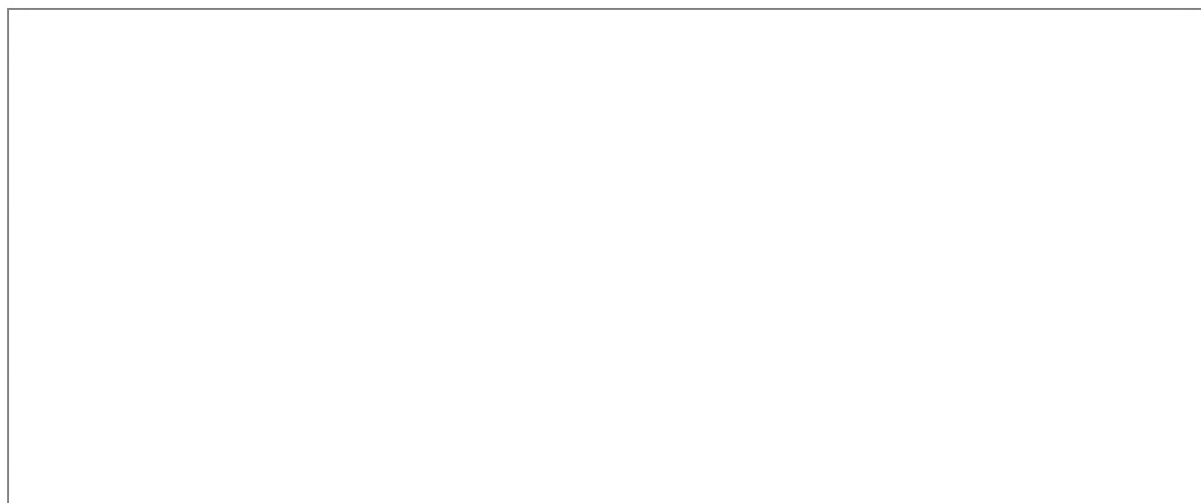


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To: [Kester, Tonykester@aging.sc.gov](mailto:Kester, Tonykester@aging.sc.gov)  
Date: 11/9/2015 3:10:21 PM  
Subject: Members of Congress Question SSA on Agency's Treatment of SSI Recipients

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[View as a webpage](#)



## Members of Congress Question SSA's Discrimination against Married LGBT Couples on SSI

As we appeal the dismissal of a lawsuit we filed with GLAD (Gay and Lesbian Advocates and Defenders) back in March against the Social Security Administration for discriminating against same-sex married couples on SSI, plaintiffs got a little help from Congress. On October 26, Senator Elizabeth Warren, Representative Mark Takano and 119 of their congressional colleagues sent [this letter](#) to Acting Commissioner of Social Security, Carolyn W. Colvin and Attorney General Loretta Lynch urging SSA to implement the Supreme Court decision *U.S. v Windsor* and waive recovery of overpayments for all who were prejudiced by the SSA's failure to recognize their marriages in timely fashion. It is simply unfair to demand that they repay money that they received only because SSA refused to recognize their marriages long after the 2013 decision striking down DOMA. The judge dismissed the case on the grounds that plaintiffs should seek recourse individually through an administrative process that takes several years.

[Read about the appeal.](#)

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## SSA Improves Non-Disability Appeals Form

For several years we've been raising concerns about the Social Security Administration's non-disability appeals process. Too often, low-income people have their benefits denied or terminated without proper notice and then don't receive the benefits they should while their appeals are being processed, with devastating results. Back in 2013, we wrote about the problems in detail in our Issue Brief, [Why SSI Needs an Appeals Process that Works](#), and we've been working closely with SSA to fix the problems we identified. We've finally seen significant progress with SSA's recent release of a revised [Request for Reconsideration](#) form, which incorporated our suggestions to improve the form. In September 2015, SSA also instituted a new training for all employees in local offices on how to properly process SSI non-disability appeals and the importance of due process protections in these cases. That's administrative advocacy at work!

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## The Los Angeles Times Highlights Problems for Low-Income Residents of Nursing Homes

Too often, nursing homes follow standard operating procedures that violate the Nursing Home Reform law and are harmful to residents. Low-income residents covered by Medicaid are particularly vulnerable and more likely to receive sub-standard care, noted Justice in Aging attorney, Eric Carlson when interviewed by the Los Angeles Times Healthcare Watch columnist for a piece entitled [How to Ensure Patients get Good Care in a Nursing Home](#). Eric wrote the consumer guide, [20 Common Nursing Home Problems and How to Resolve Them](#) back in 2010. It was recently updated with new information and re-released. It is a popular and useful guide to help consumers advocate for themselves and their loved ones by offering information on the legal rights of patients and families and giving practical, actionable solutions for the most common problems encountered.

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## Educating California Senator Carol Liu's Task Force on Long-Term Care About the CCI

Last month, Justice in Aging Staff Attorney, Denny Chan, reported on the implementation of the CCI to a group of aging experts and advocates that included work force organizers, demographers, healthcare providers, and social service representatives. The taskforce was convened by Senator Carol Liu, Chair of the Senate Select Committee on Aging and Long-Term Care. Denny gave an overview of the major changes under the CCI, updates on current enrollment and disenrollment numbers, and reviewed implementation challenges and best practices. At this meeting, Sen. Liu's staff announced the creation of a regional workgroup to take action to improve long-term care in Los Angeles. We look forward to continuing to participate in these efforts, and you can [read Denny's insights about the event](#).

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## Focus on Poverty and Disparities at the National Aging and Law Conference

Late last month, Justice in Aging attorneys Jennifer Goldberg, Eric Carlson, and Kate Lang all presented on various panels at the National Aging and Law Conference in Washington, DC. As part of the planning committee, Justice in Aging had the opportunity to raise senior poverty as an issue that advocates must

address. This year's theme, Celebrating Anniversaries with Action (Social Security, Medicare, Medicaid, and the Older Americans Act, and the ADA all had big birthdays this year) was the perfect backdrop for a panel on Race, Gender, Poverty, and Income Inequality among America's seniors. You can [view the slides here](#).

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