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The SSI Program and the POMS – Past, Present and Future

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SSI Trust POMS Update: Changes Since 2018

REFERENCED TRANSMITTALS

POMS SI - Supplemental Security Income

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OVERVIEW OF THE POMS

INTRODUCTION

According to the Social Security Administration (SSA), the Program Operations Manual System (POMS) is a primary source of information used by Social Security employees to process claims for Social Security benefits. I would go further and state that the POMS is the primary source of information used by SSA employees in adjudicating and processing cases. If your practice involves representing clients before SSA or involves any of SSA's programs, you must be familiar with the POMS. There is no substitute. You cannot argue the statute, regulations or case law with an SSA Claims Specialist.

You can use POMS to help you better understand how SSA's rules work. So if you spend time learning about your client's situation and the rules that apply to it, you can be in a much better position to ensure that the rules will be applied properly. If SSA disagrees with your expected outcome, you can ask the SSA staff to direct you to the POMS section that applies and you can see for yourself how they're applying the rule. If you've found some other reference that seems to contradict, you can then ask SSA about this.

There are two issues that may make familiarity with the POMS more difficult. First, according to SSA, the POMS encompass about 20,000 pages and covers all programs administered by SSA. I venture that few people have read the entire POMS and that you will learn something new every time you read a section of the POMS.

Second, the POMS is a living document, an ever-evolving system, with changes being applied nearly every day. While most of the day-to-day changes are clarifications to simplify wording or update annual figures, periodically, entire sections are rewritten and major changes are implemented through a POMS update.

Therefore, the purpose of this session is to provide you with a curated walk through the POMS to familiarize you with their legal foundation and where they fit within the legal hierarchy, their organization and structure, the varieties of issuances and some tips on how to find what you are looking for. We will also look at how the courts view POMS and finally, some other references that may assist you.

SOURCES OF LAW FOR THE SUPPLEMENTAL SECURITY INCOME (SSI) PROGRAM

Statutory Law

The Social Security Act

To provide for the general welfare by establishing a system of Federal old-age benefits, and by enabling the several States to make more adequate

provision for aged persons, blind persons, dependent and crippled children, maternal and child welfare, public health, and the administration of their unemployment compensation laws; to establish a Social Security Board; to raise revenue; and for other purposes.

U.S. Code

Title 42. THE PUBLIC HEALTH AND WELFARE

U.S. Code
Chapter 7. SOCIAL SECURITY
Subchapters
Sections

Social Security Act
The Social Security Act
Titles
Sections

<u>SS ACT</u>	<u>U.S. CODE</u>	<u>PROGRAM</u>
Title I	[42 U.S.C. §§301-306]	Grants to States for Old-Age Assistance for the Aged
Title II	[42 U.S.C. §§401-433]	Federal Old-Age, Survivors, and Disability Insurance Benefits
Title III	[42 U.S.C. §§501-504]	Grants to States for Unemployment Compensation Administration
Title IV	[42 U.S.C. §§601-687]	Grants to States for Aid and Services to Needy Families with Children and for Child-Welfare Services
Title V	[42 U.S.C. §§701-710]	Maternal and Child Health Services Block Grant
Title VI	[Repealed]	Temporary State Fiscal Relief
Title VII	[42 U.S.C. §§901-912]	Administration
Title VIII	[42 U.S.C. §§1001-1013]	Special Benefits for Certain World War II Veterans
Title IX	[42 U.S.C. §§1101-1110]	Miscellaneous Provisions Relating to Employment Security
Title X	[42 U.S.C. §§1201-1206]	Grants to States for Aid to the Blind
Title XI	[42 U.S.C. §§1301-1320d-8]	General Provisions, Peer Review, and Administrative Simplification
Title XII	[42 U.S.C. §§1321-1324]	Advances to State Unemployment Funds
Title XIII	[Repealed]	Reconversion Unemployment Benefits for Seamen
Title XIV	[42 U.S.C. §§1351-1355]	Grants to States for Aid to the Permanently and Totally Disabled
Title XV	[Repealed]	Unemployment Compensation for Federal Employees
Title XVI	[42 U.S.C. §§1381 note -1385 note]	Grants to States for Aid to the Aged, Blind, or Disabled
Title XVI	[42 U.S.C. §§1381-1383f]	Supplemental Security Income for the Aged, Blind, and Disabled

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