

117TH CONGRESS
2D SESSION

H. R. 6358

To amend title II of the Social Security Act to require the Commissioner of Social Security to enter into agreements with States to share data related to individuals subject to guardianship, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2022

Mr. CRIST (for himself and Ms. MACE) introduced the following bill

JANUARY 10, 2022

Referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to require the Commissioner of Social Security to enter into agreements with States to share data related to individuals subject to guardianship, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senior Guardianship
5 Social Security Protection Act of 2022”.

1 **SEC. 2. INFORMATION SHARING RELATED TO STATE**
2 **GUARDIANSHIP STATUS.**

3 (a) IN GENERAL.—Section 205(j)(11) of the Social
4 Security Act (42 U.S.C. 405(j)(11)) is amended—

5 (1) by redesignating subparagraph (B) as sub-
6 paragraph (C) and by inserting after subparagraph
7 (A) the following:

8 “(B) The Commissioner of Social Security shall—

9 “(i) enter into agreements with each State for
10 the purpose of sharing and matching data, on an
11 automated monthly basis, in the system of records
12 of the Social Security Administration with the sys-
13 tem of records of each State to identify individuals
14 subject to guardianship in the State who, with re-
15 spect to such month, are entitled to benefits under
16 this title that are certified for payment to a rep-
17 resentative payee; and

18 “(ii) in any case in which the guardianship ar-
19 rangement for such an individual has changed in
20 such month, redetermine the appropriate representa-
21 tive payee for such individual.”; and

22 (2) in subparagraph (C) (as redesignated by
23 paragraph (1)), by amending clause (i) to read as
24 follows—

25 “(i) the term ‘State’—

1 “(I) when used in subparagraph (A), has
2 the meaning given such term for purposes of
3 part E of title IV; and

4 “(II) when used in subparagraph (B), has
5 the meaning given such term for purposes of
6 subtitle B of title XX;”.

7 (b) REPORT.—Not later than 180 days after the date
8 of the enactment of this Act, and every 6 months there-
9 after, the Administrator of the Social Security Adminis-
10 tration shall submit to Congress a report containing the
11 number of social security payments that are being diverted
12 to non-family members as representative payees, broken
13 down by State.

14 (c) EFFECTIVE DATE.—The amendments made by
15 subsection (a) shall apply with respect to months begin-
16 ning on or after the date that is 90 days after the date
17 of the enactment of this Act.

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