



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

December 14, 2022

DAL: DACF #22-12
Subject: 2023 Supplemental Security Income (SSI)
Cost of Living Adjustment

Dear Adult Care Facility Operator:

The purpose of this letter is to inform Operators of adult care facilities of impending increases in the 2023 Supplemental Security Income (SSI) and Safety Net benefits provided to residents of such facilities as a result of the 8.7% federal cost of living increases scheduled for January 1, 2023.

Chapter 56 of the Laws of 2022 authorized a pass-through of the January 1, 2023, cost of living increases to SSI recipients. The January 1, 2023, increase will result in increases of \$73.00 per month for individuals and \$146.00 per month for couples. In addition, the law requires that effective January 1, 2023, SSI residents receive a \$19.00 increase in their Personal Needs Allowance.

Benefit changes effective January 1, 2023, and paid monthly as described below:

<u>Status</u>	<u>SSI Income Only*</u>	<u>SSI Income Plus Social Security or other unearned income not counted by Social Security</u>
Individuals	\$1,608.00	\$1,628.00
Couples	\$3,216.00	\$3,236.00

*Includes Federal and State portions

Effective January 1, 2023, residents of adult care facilities who receive SSI benefits will be entitled to receive a Personal Needs Allowance of **\$241.00** per month.

Residents who receive Safety Net payments from local Departments of Social Services also will receive the \$1,608.00 per month as outlined above, which includes \$1,367 for cost of care and \$241 for the residents' Personal Needs Allowance.

Enclosed is a notice for residents who receive SSI which describes the changes effective January 1, 2023. The notice is to be conspicuously posted in an area or areas accessible to residents, which may include adjacent to the monthly activities schedule and/or the daily menu. The Department will not be mailing individual copies to the residents receiving SSI in your facility; accordingly, Operators should make copies of the notice for residents who would like to have a copy.

Adult care facility Operators who intend to increase the rates charged to residents are required to provide residents a written notice specifying the new rate at least 30 days prior to the date of the increase. Assisted Living Residences (ALRs) must provide 45 days' notice before increasing the rate for residents who receive SSI. The Operator may increase the rate with less than the requisite notice if the resident voluntarily agrees to such a rate increase in writing. In either case, Operators are required to amend the admission/residency agreement and offer eligible residents, in writing, an opportunity to place Personal Needs Allowance funds in a facility-maintained account if they do not already have a facility-maintained account for Personal Needs Allowance.

The SSI and Safety Net Assistance increases are **effective January 1, 2023**, and will be included in regular SSI and Safety Net Assistance checks beginning with the January 2023 SSI check.

SSI recipients with questions about their SSI benefits should contact the Social Security Administration by contacting their local Social Security Office in person or by phone or by calling the national toll-free hotline at **1 (800) 772-1213**.

Please be advised that this letter and enclosure will be available on the Department's website at: https://www.health.ny.gov/facilities/adult_care/dear_administrator_letters/.

If you have any questions about the posting of this notice, please contact the appropriate Regional Office of the Department or write to acinfo@health.ny.gov.

Sincerely,

Heidi L. Hayes, Acting Director
Division of Adult Care Facility
and Assisted Living Surveillance

Enclosure

cc: A. Herbst
V. Deetz
S. McGarvey
T. Graney
J. Pinto
D. Pulver
J. Van Dyke
acinfo@health.ny.gov

NOTICE

TO: Residents of Adult Care Facilities who are eligible for Supplemental Security Income (SSI)

Effective January 1, 2023, the benefits for a resident eligible for SSI will be increased. For individual residents, the total increase will be \$73 per month. For couples, the total increase is \$146 per month.

The law increases the required amount of your personal needs allowance by \$19 per month.

Residents who receive SSI are entitled to receive at least \$241 per month as a Personal Needs Allowance. The Personal Needs Allowance is money which you may use for personal items such as clothing, magazines, etc.

The following chart shows the new benefit amount effective January 1, 2023, for residents receiving SSI. The increases will be included in regular SSI checks beginning with the January 2023 SSI check.

New SSI Benefit Amounts

SSI Income Plus Social Security or other unearned income not counted by

<u>Status</u>	<u>SSI Income Only*</u>	<u>Social Security</u>
Individuals	\$1,608.00	\$1,628.00
Couples	\$3,216.00	\$3,236.00

*Includes Federal and State portions

Admission Agreement Changes

The operator of the facility where you live may increase the rate you are charged effective January 1, 2023. To do this, the operator is required to give you at least 30 days' written notice (about amending your admission agreement) prior to the date of the rate change. Assisted Living Residences (ALRs) must provide 45 days' notice before increasing the rate for residents who receive SSI. The operator may increase the rate with less than the 30-day notice (45 days for ALRs) if you voluntarily agree to such a rate increase in writing. Either way, your admission agreement must be amended to reflect this rate increase, and you should receive a copy of this amendment to your admission agreement. If you have questions about the new SSI benefit amounts or the information contained in this notice, you may contact the Regional Office in your area.

REGIONAL OFFICES ADDRESS AND TELEPHONE LISTING

The phone number and address of each Regional Office are below.

Adult Care Facility Program Manager
Capital District Regional Office
875 Central Avenue
Albany, NY 12206
Phone: (518) 408-5287

Adult Care Facility Program Manager
Western Regional Office
335 East Main Street, First Floor
Rochester, NY 14604
Phone: (585) 423-8185

Adult Care Facility Program Manager
Central New York Regional Office
217 South Salina Street
Syracuse, NY 13202
Phone: (315) 477-8472

Adult Care Facility Program Manager
Metropolitan Area Regional Office
90 Church Street
New York, NY 10007
Phone: (212) 417-4440