



THE EASTERN BAND OF CHEROKEE INDIANS

GenWell Program and Social Security Insurance (SSI) Disability

The EBCI GenWell Program is designed to deliver a tax-exempt financial benefit to members of the Eastern Band of Cherokee Indians. This financial benefit is intended to provide for the general welfare of tribal members to provide assistance with financial needs such as housing, healthcare, education, childcare, transportation, elder care, and more. The tax-exempt status of this benefit program means that it is not reportable as income to tribal members by the EBCI and no 1099 will be issued. However, some benefit programs offered by the state or federal government, including Social Security Insurance (SSI) Disability, may continue to count the financial benefit as income for the purpose of calculating benefits and determining.

The Social Security Administration (SSA) has issued the following guidance on the treatment of GenWell payments to enrolled members of the Eastern Band of Cherokee Indians. Monthly payments do not require spend down, however enrolled members must provide evidence of spend down in June and December to maintain their SSI benefits.

Per Capita Program OR New GenWell (GW) Program- both programs permit loans. If a member selects monthly distributions, these are considered loans, and loan repayment automatically occurs at the point of the semi-annual distribution.

Monthly distribution

SSI Income treatment: As this is considered a bona fide cash 'loan', it is not considered income. See [SI 01120.220](#)

SSI Resource treatment: Anything retained the month following the month of receipt is a countable resource.

Semiannual distributions (June/December)

SSI Income treatment: We treat the GROSS per capita distribution due as countable income. See [SI 00810.005](#), [SI 00830.115](#), and [SI 00810.025](#).

SSI Resource treatment: Any amount of net proceeds retained the month following the month of receipt is a countable resource. SSA will need proof of spend-down to determine at what point the individual falls below the SSI statutory resource limit (\$2,000 for an individual; \$3,000 for an individual with a spouse).

Evidence of Income: Statements/payment vouchers supplied to the tribal member with confirmation of method of receipt (directly/ABLE account/both). If a statement is not automatically provided, the member would request a statement from the Tribe and supply to SSA for verification purposes as that will break down the gross distribution due, loan repayments, voluntary withholdings/assignments, garnishments, net proceeds.

Evidence of Resource Spend-down: Proof of spend-down of direct receipt of the semi-annual program payment (bank statements, receipts).