

Social Security Fairness Act signed into law on January 5, 2025

By Bill Threlfall

August 2025

Some CARE members may have been affected by the 1/5/2025 change in law which ended the Social Security Windfall Elimination Provision (WEP) and Government Pension Offset (GPO). As a result, those members may have seen increased or new Social Security benefits.

Read on only if you want to know more; the situation is a bit complicated and relevant only to certain retirees.

The changes are detailed in this publication from the Social Security Administration:

<https://www.ssa.gov/benefits/retirement/social-security-fairness-act.html?tl=0%2C1%2C3%2C5>

(This link is valid at publication but subject to change by SSA.)

Impact of the changes:

For CARE members already receiving Social Security Benefits based on their earnings record:

Benefits may increase as described in the Social Security Fairness Act.

For CARE members not previously receiving Social Security Benefits:

These members may not be qualified to receive Social Security Benefits based on their own earnings record.

However, some members may have qualified for Social Security "spousal benefits" based on their spouse's earnings record. The District requires retirees to apply for Social Security "spousal benefits" to determine if the retiree is eligible for Medicare Part A as a spousal benefit. If so qualified, the District requires the retiree to enroll in Part A as a Social security benefit. It also requires the retiree to enroll in Medicare Part B and pay its cost, but the District then reimburses that required payment.

Some retirees in this group might have also been eligible for a monetary spousal benefit. However, some or all of those benefits may have been eliminated previously by the Windfall Elimination Provision of the prior law. Under the new Social Security Fairness Act of 2025, this provision no longer applies to benefits payable for January 2024 and later. Accordingly, some retirees may have started receiving spousal benefit payments.

My personal case is an example:

Though I have worked in the private sector and paid Social Security taxes on those earnings, I did not have enough credited quarters to attain eligibility for benefits. However, as required by the District, more than twenty years ago I applied for Social Security "spousal benefits" so that I would become eligible for Medicare as a spousal benefit under

my wife's Social Security benefits. Nevertheless, due to the Windfall Elimination Provision, I did not receive any monetary spousal Social Security benefits.

In March of 2025, with no explanation, a deposit of several thousand dollars showed up in my account, noted as Deposit ACH SSA TREAS 310 TYPE: XXSOC SEC ID. Several weeks later, I received a letter of explanation from the Social Security Administration noting that this deposit included retroactive spousal benefits back to January 2024 and that (modest) monthly benefit payments would continue. The letter attributed these changes to the implementation of the Social Security Fairness Act, which was retroactive to January 1, 2024.

Prior to this event, my payments for Medicare Part B were being deducted by SSA from my monthly STRS pension. The Social Security Administration ended that deduction and instead began deducting it from my monthly Social Security benefit. Shortly thereafter, they sent a related letter of explanation for this change as well.

Mystery solved.