



~~Bill Walker, Commissioner~~
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July 23, 2004

**OFFICE OF FAMILY INDEPENDENCE POLICY MANUAL
VOLUME IV BENEFIT RECOVERY MANUAL
TRANSMITTAL #3**

TO: County Departments of Family and Children Services
Family Independence Regional Managers
State Staff

FROM: Janet R. Oliva, Ph.D.
Director

RE: Updates to the Benefit Recovery Manual

PURPOSE

The purpose of this manual transmittal is to provide updates and clarifications received since the last transmittal and to incorporate claim forms into the Benefit Recovery Manual.

DISCUSSION

The following changes are included in this manual transmittal:

- Table of Contents – Added Appendix A, Claim Forms
- Section 4000, General Overview – Added verbiage to reflect that underpayments (UPs) are dispositioned on inactive cases and restorations are not paid if benefits were lost more than 12 months prior to the date of discovery. Clarified action to take on Agency Error (AE) or Inadvertant Household Error (IHE) overpayments (OPs) discovered by Office of Investigative Services (OIS) during an Intentional Program Violation (IPV) investigation. Expanded policy on notification of a debt to include customers right to a fair hearing. Added policy concerning creating claim files for every valid debt and eliminating claim files for claims invalidated prior to payment activity or on underpayments. Expanded on policy regarding location of claim documentation in SUCCESS. Clarified procedure for handling referrals returned to DFCS by OIS.
- Section 4005, Claim Types – Step 3 of Procedures - Added, “Do not change data that was previously correct”. Deleted policy statement about State Claims Office monitoring timeliness of scheduling OP discovered by Quality Control (QC) review. Clarified policy regarding automatic recoupment and added reference for calculation procedures on Step 5.

- Section 4010, Intentional Program Violation – Clarified policy regarding making historical changes. Adding policy regarding location of OIS documentation in SUCCESS.
- Section 4015, Disqualified Recipients Subsystem – Expanded policy to include result of failure to impose disqualification timely. Deleted statement concerning notifying State Claims Office if hearing request is received. Added statement regarding notifying OIS of hearing request.
- Section 4020, Collection Methods – Added policy to say, that the write off amount of a compromised claim is available for collection via UP offset. Included policy concerning reinstatement of the write off portion of claim if claim becomes delinquent. Changed contact to reflect the Program Specialists. Clarified compromise of IPV claims. Under TANF benefit reduction, added a statement to say that all countable income prior to allowable deductions is included in determining the amount of the benefit reduction. Under FS benefit reduction, added “recoupment of 20% of the AU’s eligible amount prior to allotment decrease due to disqualification...”Reworded Offset of Underpayments. Changed verbiage related to FS/TANF benefits subject to expungement. Corrected the number of days before FS expungement to 365 days.
- Section 4025, State Tax Offset and Section 4030, Treasury Offset Program – Changes made throughout these sections where reference has been made to the State Claims Office/Staff to reflect the new title of State Claims/Fiscal Services Office/Staff.
- Section 4035, Over Collection of Claims – Clarified policy that pertains to handling FS overcollections as a result of expungement. Added policy statement regarding TANF overcollections resulting from expungements.
- Appendix A – Added Claim Forms
Form 17 - Notice of Request for Hearing to Contest State Tax Setoff
Form 18 – Case Summary/Settlement State Tax Setoff Error
Form 19 – Case Summary State Tax Setoff Proper
Form 269 – EBT Claims Payment Agreement
Form 486 – Claims Repayment Agreement
Form 5667 – Office of Investigative Services Request for Information

A soft copy of each claim form is available. Hard copies of claim forms will be produced by and ordered from the State Office. A hard copy of each form is attached to this manual transmittal.

MANUAL MAINTENANCE

- Remove Table of Contents and replace with revised Table of Contents.
- Remove Section 4000, Section 4005, Section 4010, Section 4015, Section 4020, Section 4025, Section 4030 and Section 4035. Replace with the attached Sections with the same numbers.
- Place Appendix A, Claim Forms, immediately following Section 4055.

Make a notation on the record of Receipt of Manual Transmittals for Volume IV. Any updates or clarifications of Claims Policy in this manual transmittal are effective immediately.

ONLINE MANUAL (ODIS) UPDATE

The material contained in this manual transmittal will be updated in ODIS effective September 1, 2004.