

	<p align="center">Department of Human Services Online Directives Information System</p>	<p>Index:</p> <p>Revised:</p> <p>Next Review:</p>	<p align="center">POL3450</p> <p align="center">04-08-2019</p> <p align="center">04-08-2021</p>
---	--	--	--

SUBJECT: Benefit Recovery Program (Claims and Collections)

POLICY

The policy of the Department of Human Services is to promote the health and well-being of families, focusing primarily on children, the elderly and the disabled. Two Benefit Assistance programs (Food Stamps and TANF) are administered by the Department of Human Services through the Division of Family and Children Services (DFCS) and their 159 county offices. To protect the integrity of these financial assistance programs and in the interest of the public, the Benefit Recovery Program (Claims and Collections) unit recovers erroneously issued benefits as mandated by federal and state policies.

A. Authority

The Food Stamp (FS) Act of 1977 contained certain collection provisions. The FS claims regulations were revised in 1983 and mandated in 1996 with the passage of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA): Pub. L. 104-193. Recovery provisions of the FS program were further developed in Title 7; “Code of Federal Regulations”, Part 272 through 273.

The Temporary Assistance for Needy Families (TANF) Program in PRWORA replaced the Former Aid to Families with Dependent Children (AFDC) program. Recovery provisions for TANF were issued by the U.S. Department of Health and Human Services through Program Instruction Transmittal No: TANF-ACF-PL- 99-2 (revised).

B. References

The Electronic Code of Federal Regulations, Title 7-Agriculture, Chapter II-Food and Nutrition Service, Department of Agriculture, Parts 271-299.

https://www.ecfr.gov/cgi-bin/text-idx?SID=32bf52abdb8be696a8ccb41cabbacc33&tpl=/ecfrbrowse/Title07/7cfrv4_02.tpl#0

The Electronic Code of Federal Regulations, Title 45-Public Assistance, Chapter II-Office of Family Assistance, Administration for Children and Families, Department of Health and Human Services, Parts 201-299

https://www.ecfr.gov/cgi-bin/text-idx?SID=94f503b64f8d9e3d0baeedad1691851e&mc=true&tpl=/ecfrbrowse/Title45/45cfrv2_02.tpl#200

C. Applicability

All local County Departments of Family and Children Services (DFCS)

D. Definitions

None

E. Responsibilities

The State Operations Director of the Office of Family Independence, Division of Family and Children Services is responsible for the development and administration of the Benefits Recovery (Claims) Manual-Volume IV ([MAN3450](#)). The manual is issued by the Director of the Division of Family and Children Services.

F. History:

None

G. Evaluation:

The outcomes of this directive are evaluated by:

- Case Accuracy Reviews
- Quality Control Reviews
- Management Evaluation Reviews
- Federal Audits and Reviews