



**Department of Human Services
Online Directives Information System**

**Index: POL1850
Revised: 10/03/2019
Next Review: 10/03/2021**

SUBJECT: Claim Disposition Options

POLICY:

One of the primary goals of the Office of Inspector General (OIG) is to seek final adjudication and disposition of intentional program violation claims by judicial or administrative means.

Options for adjudication through the judicial process:

- Criminal prosecution
- Consent agreement

Options for adjudication through the administrative process:

Adjudication through administrative processes allows recipients who have intentionally obtained excess benefits to be administratively adjudicated and make restitution without going through the court system. Currently, there are two mechanisms for administrative adjudications:

- Administrative disqualification hearing
- Waiver of disqualification hearing

Non-adjudications:

Recovery of overpayments through administrative means allows recipients who have obtained excess benefits to make restitution without adjudication. Currently, there is one mechanism:

- Non-fraud claim

A. Authority

[O.C.G.A. §49-4-15](#)

B. References

7 U.S.C. §§ 2011, et seq.

[7 C.F.R. § 273.16](#)

C. Applicability

This policy is applicable to the legal adjudication of a claim.

D. Definitions

A claim is not considered complete until it is brought to a final claim disposition.

E. Responsibilities

1. The OIG Benefit Integrity and Recovery Unit (BIRU) Director is responsible for oversight of POL 1850.
2. The BIRU State Operations Unit updates procedures to implement this policy.

F. History**G. Evaluation**

The OIG/BIRU evaluates this policy by:

1. Monitoring and completing an annual review to confirm accuracy of claim disposition options.
2. Passing any audit(s) with no findings.