



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

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CRITERIA FOR IDENTIFYING CASES OF SUSPECTED FRAUD

Elements of Fraud

An intentional program violation (IPV) cannot be the result of an accidental omission or error by the recipient. There must be a knowing and willful act, oral or written, usually in the form of a statement of fact. According to the federal regulations 7 CFR § 273.16 (<https://www.ecfr.gov>), the definition of an IPV is:

IPVs shall consist of having intentionally:

- (1) made a false or misleading statement, or misrepresented, concealed or withheld facts;
or
- (2) committed any act that constitutes a violation of SNAP, SNAP regulations, or any State statute for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of SNAP benefits or EBT cards.

Common Offenses

The most common offenses that constitute fraudulent actions are as follows:

- Failure to report earned or unearned income, e.g. (not all-inclusive):

Employment	Direct child support	Unemployment insurance
Veterans benefits	Retirement/Pension	Workers compensation
Social Security or SSI		

- Failure to report available resources, e.g. (not all-inclusive):

Bank accounts	Legal interest in an estate
Certificates of deposit	Non-exempt real estate
Stocks and bonds	Insurance settlement

- Failure to report the correct household composition, relevant information about household members or changes in the household
- Misuse/trafficking of electronic benefit transfer card

All determinations of IPVs should be based on the correct policy as determined by the program manual for the regulation in effect at the time of the suspected overpayment.