



TANF 1504-1 Overpayments

Supersedes: TANF 1504-1 (1/1/12)

Reference: ARM 37.78.430

Overview: A possible overpayment claim must be evaluated against any household that received more TANF cash assistance than they were eligible to receive (whether or not the household is currently receiving TANF cash assistance). All reasonable steps necessary to promptly correct any overpayment must be taken. When individuals are no longer clients and/or refuse to repay the overpayment, recovery will be made by appropriate action under state law.

ESTABLISHING A CLAIM:

Overpayment claims must be established by the end of the quarter following the quarter in which the overpayment is first identified. Do not establish a claim when the overissuance precedes the discovery date by six (6) years or more.

If queries are not completed at application, redetermination, or when a change is reported, and information that could have been found by completing the system query is discovered and results in an overpayment, it is considered an agency-caused error.

When multiple errors are discovered on a case and some are considered client caused errors while others are considered agency caused, the overpayment is only established on the client caused error. When a client fails to report a change that could have been verified through an available query, it is still a client-caused error.

In cases that have both an overpayment and an underpayment, one will be offset against the other in correcting the benefits.

DETERMINING 1st MONTH OF OVERISSUANCE:

Actual income is used to compute an overpayment.

All claims must be treated as if all the maximum time frames apply. Allow ten (10) days for client report and/or verification, ten (10) days for OPA action and ten (10) days for timely notice (if required per policy).

CHILD SUPPORT OVERPAYMENT:

Child support kept by a household after TANF authorization result in an overpayment for the entire child support amount retained. This is considered a TANF overpayment, not a CSED overpayment. A referral for an Intentional Program Violation (IPV) is made.

DUAL PARTICIPATION:

Overpayments established because a household received TANF benefits by more than one entity during the same month are generally established by the agency who issued the duplicative benefit.

Effective Date: January 01, 2018