

TABLE OF CONTENTS

100	<u>Claims</u>
110	Definition of <u>Claim</u>
111	Definition of Trafficking
112	Definition of Date of Discovery
113	<u>When Information is Received Indicating a Claim May Exist</u>
114	<u>Calculation of Claim Amount</u>

CLAIMS

110 DEFINITION OF CLAIM

A claim is defined as any assistance, benefit or subsidy provided under a program administered by the DWSS paid to, or on behalf of, any individual, group of individuals or provider, which exceeds the amount they were eligible for or entitled to receive.

Claim amounts reflect the difference between what the individual, group of individuals or provider incorrectly received in a form of assistance, benefit or subsidy less what they were correctly eligible for or entitled to receive.

When calculating a claim amount, the worker must use budgeting procedures and policy in effect at the time the claim was incurred. Ensure the correct reporting requirements are applied when calculating a claim for all agency programs.

Note: When determining if a claim exists due to SSI eligibility of an assistance unit member, ineligibility begins the first month following the recipient's actual receipt of the SSI payment.

110.1 TANF Loan Claim

A claim for the TANF Loan program is defined as the total amount of TANF Loan payments issued under the signed Loan Agreement that is due and payable by the Borrower.

111 DEFINITION OF TRAFFICKING

Trafficking is defined as:

- The buying, selling, stealing, or otherwise affecting an exchange of SNAP benefits issued and accessed via Electronic Benefit Transfer (EBT) cards, card numbers and personal identification numbers (PINs), or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone;
- The exchange of firearms, ammunition, explosives, or controlled substances, as defined in Section 802

of Title 21, United States Code, for SNAP benefits;

- Purchasing a product with SNAP benefits with the intent of obtaining cash or consideration other than eligible food by reselling the product, and subsequently intentionally reselling the product purchased with SNAP benefits in exchange for cash or consideration other than eligible food;
- Intentionally purchasing products originally purchased with SNAP benefits in exchange for cash or consideration other than eligible food; or
- Attempting to buy, sell, steal, or otherwise affect an exchange of SNAP benefits issued and accessed via EBT cards, card numbers and personal identification numbers (PINs), or by manual voucher and signatures, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone.

A trafficking-related claim will be established against any person or retailer when it is determined that the person or retailer engaged in trafficking. Any trafficking-related claim will be the value of the trafficked benefits.

112 DEFINITION OF DATE OF DISCOVERY

The date of discovery is the date the DWSS confirms through investigation of the claim allegation an overissuance or loan repayment obligation has occurred.

Exception: The Program Review and Evaluation Unit (PRE aka Quality Control (QC)) conducts investigations which may generate a potential claim for the review month. Claims resulting from a QC error or audit finding must show the date of discovery as established by the Chief of PRE.

113 WHEN INFORMATION IS RECEIVED INDICATING A CLAIM MAY EXIST

The appropriate Investigations and Recovery (I&R) worker will:

- ensure the household's current budget reflects correct, up-to-date information to avoid further incorrect payment of benefits;
- obtain written verification of the questionable issue;
- determine the period(s) of time during which the household incorrectly received assistance.

114 CALCULATION OF CLAIM AMOUNT

I&R staff will calculate claims for **all cases**.

Reference should be made to the I&R Policy Manual for issues/events not addressed in this chapter.