**Ops Memo 24-03**

Presented by: Janice Pfeiffer

Subject: Compromising FoodShare Overpayments

Effective Date: February 24, 2024

This memo states that the Department of Health Services (DHS) will allow liable individuals with an outstanding balance on a FoodShare overpayment claim, due to client or non-client error, to request that the agency consider a compromise on the amount owed.

**Compromise Requests:**

Individuals that wish to have their claim reviewed for a potential compromise must submit a formal request to the IM agency in writing using the Request to Lower a FoodShare Overpayment form, F-03266. A liable individual may initiate the process by contacting the IM agency by phone and the compromise request form will be mailed to the individual for completion.

Workers must take action on compromise requests received timely and attempt to make the compromise request determination within 30 days of receipt.

**Collecting Information for a Compromise Request:**

Information used in the compromise request must be recent. A current snapshot of the household's composition, income, and expenses is required to determine what can be prospectively repaid in the next three years. Existing information in the case record will not be used unless it was verified within 30 days of the compromise request.

**Liable Individuals:**

In claims with multiple liable individuals, only one individual, the primary requester, is required to request the compromise. If more household information is needed, 20 days must be given for the individual to provide information and verification documents. In claims with multiple liable individuals who are no longer living in the same household, the calculation will be completed for each liable individual’s household on the claim and use the outcome that provides the greater benefit to the liable individuals.

**Approval or Denial of a Compromise Request:**

The household income and expense amounts reported by the requester are budgeted to a monthly value which will be multiplied by 36 months. If the amount that can be repaid is less than the claim balance, the compromise is approved, the DCF “Write-Off and Adjustment Form” (DCF-F-140-E) will be sent to the Wisconsin Department of Children and Families, Public Assistance Collection Section (DCF PACS), and an approval notice will be sent notifying the liable individuals of the new payment amounts..

A compromise request could contain multiple claims and each claim is evaluated separately. If the amount that can be repaid is equal to or greater than the claim balance, the compromise is denied by the worker, and a denial notice will be sent to the requester. In some cases, liable individuals will be notified of the denial.

**Escalation Review:**

The requester can escalate a compromise determination with the agency if they disagree on a compromised amount or on a denied compromise. If the requester disagrees with the agency escalation review, the agency may escalate it to DHS. The DHS review is considered final and may not be escalated further. There are no fair hearing rights for compromise requests.

CWW Demo Link: [Overpayment Claim Compromise](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fvimeo.com%2Fshowcase%2F8639921%2Fvideo%2F912680203&data=05%7C02%7CJanice.Pfeiffer%40co.rock.wi.us%7Cd74b66d996f841138a2f08dc316d8933%7Cfa4094e543a84ef6adae32e504907b5e%7C0%7C0%7C638439594116965760%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=noVMb8GZRjBPpWEiK3sKqK31WA7Axy2kD9qjdlUIfhM%3D&reserved=0)

Process Help 31.3.8 (available at next update)

**QC Newsletter Overview**

Presented By: Erin Heiman

Subject: Fall 2023 QC Newsletter

The purpose of the newsletter is to address common QC Errors.

* Expected Annual Income Screen
  + The most common error is that not all sections of the screen are updated.
    - Earned income, unearned income, self-employment and deductions must be reviewed.
    - Each section must be manually entered. If zero, section can be left blank.
    - Totals of all sections are transferred to first section.
* Authorized Representatives
  + Appointment of Authorized Representatives requires all contact information for the authorized representative, a signature, authorized representative signature, and witness signature. If all information and signatures are not provided, the appointment is not valid. If there is no valid appointment, authorized representative information should not be entered into CWW.
  + To remove an authorized representative, section one of the appoint, change, or remove an Authorized Representative from must be completed or a signed letter requesting removal must be received. Either the member or the authorized representative can request the removal.
* Shelter/Utilities
  + Shelter and utilities continue to be the top error year after year due to expenses not being properly reviewed at recertification.
  + It is important to always ask all questions on the shelter page at certification and recertification including whether or not they are receiving housing or rent assistance. The household’s actual contribution should be clearly documented.
    - In the additional information section, document any information the household can provide in regards to who they pay shelter costs to. QC must verify all expenses, and this information could greatly assist in locating landlords.
    - When a customer no longer has a utility expense, the utility screen must be end dated. If it is just entered as zero, the incorrect utility standard is given. End dated utility screens can be deleted at the next renewal.