

**NORTH DAKOTA DEPARTMENT OF HUMAN SERVICES  
BISMARCK, NORTH DAKOTA  
July 18, 2013**

**IM 5180**

**TO:** County Social Service Directors  
Economic Assistance Policy Regional Representatives  
Economic Assistance Policy Quality Control Reviewers

**FROM:** Carol Cartledge, Director, Economic Assistance Policy

**SUBJECT: Updated IPV Procedures**

**PROGRAMS:**

**EFFECTIVE:** Supplemental Nutrition Assistance Program (SNAP)

**RETENTION:** Until Manualized

**SECTIONS**

**AFFECTED: 430-05-75-15-55**

**EFFECTIVE DATE:** August 1, 2013

Federal regulations require individuals must receive notification of their disqualification period once they have been convicted of an intentional program violation (IPV), even if their case has closed. SNAP policy has been updated and includes sending the proper notice to the household.

A new alert has been created in the TECS system, "IPV has been entered, send notice" and will be generated once an IPV has been entered on IPSA.

All TECS notices which contain information about an individual's disqualification period have been updated and now include a fillable section for the disqualification time frame to be entered. A new notice, F848 –IPV Notification/Closed Case, has been created for use when the SNAP case is closed and an IPV has been determined.

## County Action Upon Receipt of Signed Decision 430-05-75-15-55

Review the decision **signed by the Executive Director** to determine if an IPV was committed.

If an IPV was not committed the household remains responsible for any overissuance and the claim continues as an inadvertent household error regardless of eligibility for benefits.

If an IPV was committed the worker must:

1. **Disqualify the individual:** For all disqualified individuals, including those not participating at the time of the disqualification order, the disqualification period begins with the first month following the date the individual receives the IPV findings and order. ~~written notification.~~ Send the appropriate notice to the household, even if the case is currently closed. Adequate notice is required.
  - F209 Fraud Action – Used when an application is denied as the only individual is disqualified for fraud.
  - F410 Intentional Program Violation – Used when a case is closed as the only individual is disqualified for fraud.
  - F737 Decrease in Benefits/Decrease Persons IPV – Used when an individual in an ongoing case is disqualified for fraud
  - F848 IPV Notification/Closed Case – Used when an individual in a closed case is disqualified for fraud.

Once a disqualification penalty has been imposed it continues uninterrupted until completed. The household remains responsible for repayment of any overissuance that may have resulted from this violation, regardless of eligibility for benefits.

2. **Change the error cause code** for the claim to "FR" (SEOO, function 5) and set the participation code for the disqualified individual to "DF" if currently participating. Send Notice F818 – IPV – Overissuance to the household and set an alert for 10 days as the household has 10 days to return the signed Notice F818. After the 10 days has elapsed, change the recoupment percent from 10% to 20% (SEOO, function 5). For IPV claims, the amount of SNAP benefit reduction is the greater of 20% of the benefit or \$20 per month.

3. **Set a person/program alert on the PRAP screen (CAMM, function 19).**

### **TANF and Child Care Assistance Program**

TANF Policy at 400-19-135-20, Types of Intentional Program Violations, and Child Care Assistance policy at 400-28-160-15, Types of Intentional Program Violations both currently include policy regarding this requirement. The second to the last paragraph in each section states:

*Regardless of the type of IPV, the appropriate notice must be sent to the household notifying the household that an individual is disqualified and/or assistance will be reduced or ended. The conviction and disqualification information and copies of supporting documents (including conviction information) must be recorded in the case file. If a disqualified person moves from one county to another, include disqualification information in the case transfer information.*

Any questions please contact your Regional Representative.