

CHAPTER 89

DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT — RECOVERY OF INAPPROPRIATELY OBTAINED BENEFITS

H.F. 249

AN ACT relating to the recovery of benefits inappropriately obtained from the department of homeland security and emergency management.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. [Section 10A.108, subsection 1](#), Code 2025, is amended to read as follows:

1. a. If a person refuses or neglects to repay benefits or provider payments inappropriately obtained from the department of health and human services or the department of homeland security and emergency management, the amount inappropriately obtained, including any interest, penalty, or costs attached to the amount, constitutes a debt and is a lien in favor of the state upon all property and any rights or title to or interest in property, whether real or personal, belonging to the person for the period established in [subsection 2](#), with the exception of property which is exempt from execution pursuant to [chapter 627](#).

b. A lien under [this section](#) shall not attach to any amount of inappropriately obtained benefits or provider payments, or portions of the benefits or provider payments, attributable to errors by the department of health and human services or the department of homeland security and emergency management, as applicable. Liens shall only attach to the amounts of inappropriately obtained benefits or provider payments or portions of the benefits or provider payments which were obtained due to false, misleading, incomplete, or inaccurate information submitted by a person in connection with the application for or receipt of benefits or provider payments.

Sec. 2. [Section 10A.108, subsection 4](#), unnumbered paragraph 1, Code 2025, is amended to read as follows:

The county recorder of each county shall prepare and maintain in the recorder's office an index of liens of debts established based upon benefits or provider payments inappropriately obtained from and owed the department of health and human services or the department of homeland security and emergency management, containing the applicable entries specified in [sections 558.49](#) and [558.52](#), and providing appropriate columns for all of the following data, under the names of debtors, arranged alphabetically:

Sec. 3. [Section 10A.108, subsection 4](#), paragraph b, Code 2025, is amended to read as follows:

b. "State of Iowa, Department of Health and Human Services" or "State of Iowa, Department of Homeland Security and Emergency Management" as claimant, as applicable.

Sec. 4. [Section 10A.108, subsection 8](#), Code 2025, is amended to read as follows:

8. The department of inspections, appeals, and licensing, as provided in [this chapter](#) and [chapter 626](#), shall proceed to collect all debts owed the department of health and human services and the department of homeland security and emergency management as soon as practicable after the debt becomes delinquent. If service has not been made on a distress warrant by the officer to whom addressed within five days from the date the distress warrant was received by the officer, the authorized investigators of the department of inspections, appeals, and licensing may serve and make return of the warrant to the clerk of the district court of the county named in the distress warrant, and all subsequent procedures shall be in compliance with [chapter 626](#).

Sec. 5. **NEW SECTION. 29C.26 Referrals — fraud — benefits inappropriately obtained.**

1. Following a review of an applicant's or recipient's eligibility to receive moneys under [section 29C.20A](#) or [29C.20B](#), the department may refer cases of suspected fraud, misrepresentation, inadequate documentation relating to initial or continued eligibility, or

benefits being otherwise inappropriately obtained, along with any supportive information, to the department of inspections, appeals, and licensing for review.

2. In cases of substantiated fraud, misrepresentation, or benefits being otherwise inappropriately obtained, the state shall review all appropriate legal options including but not limited to removal of a recipient from other public assistance programs and garnishment of wages or state income tax refunds until the department recovers an amount equal to the benefits fraudulently claimed.

3. The department may refer suspected cases of fraud, misrepresentation, or inadequate documentation relating to initial or continued eligibility, or suspected cases of benefits being otherwise inappropriately obtained, to appropriate state entities for review of such issues in other programs providing public benefits.

Approved May 19, 2025