

239B.14 Fraudulent practices — recovery of overpayments.

1. *a.* An individual who obtains, or attempts to obtain, or aids or abets an individual to obtain, by means of a willfully false statement or representation, by knowingly failing to disclose a material fact, or by impersonation, or any fraudulent device, any assistance or other benefits under [this chapter](#) to which the individual is not entitled, commits a fraudulent practice.

b. An individual who accesses benefits provided under [this chapter](#) in violation of any prohibition imposed by the department pursuant to [section 239B.5, subsection 4](#), commits a fraudulent practice.

2. An individual who commits a fraudulent practice under [this section](#) is personally liable for the amount of assistance or other benefits fraudulently obtained. The amount of the assistance or other benefits may be recovered from the offender or the offender's estate in an action brought or by claim filed in the name of the state and the recovered funds shall be credited to the appropriation to the department for community access and eligibility to be used for the purposes of the family investment program. The action or claim filed in the name of the state shall not be considered an election of remedies to the exclusion of other remedies.

3. The department shall adopt rules pursuant to [chapter 17A](#) as necessary to recover overpayments of assistance and benefits provided under [this chapter](#). The recovery methods shall include but are not limited to reducing the amount of assistance or benefits provided.

[97 Acts, ch 41, §15, 34; 2000 Acts, ch 1088, §6; 2013 Acts, ch 138, §91; 2024 Acts, ch 1157, §54](#)

Referred to in [§217.35](#)

Fraudulent practices; see [§714.8](#) et seq.

Use of recovered moneys generated through fraud and recoupment activities for additional fraud and recoupment activities; see [§217.35](#)
Subsection 2 amended