

CHAPTER 74  
ECONOMIC ASSISTANCE FRAUD BUREAU

**481—74.1(10A) Definitions.**

“*Investigator*” means anyone searching for information on behalf of the division of investigations in the department.

“*Warrant*” means a check drawn on state funds in payment of public assistance. The warrant is issued by department of human services (DHS).

**481—74.2(10A) Responsibilities.** The economic assistance fraud bureau is responsible for investigating, assembling, and reporting information about recipients of any DHS economic assistance and other investigations as provided for in Iowa Code chapter 10A.

**481—74.3(10A) Procedures.** Procedures are based on the destination of the information gathered.

**74.3(1)** An investigation requested because of public assistance overpayment and received from the recoupment section may include the following steps.

- a. The recipient file is sent to the department by DHS.
- b. An interview may be conducted with anyone who may have knowledge pertinent to the case.
- c. An interview with the individual being investigated may be conducted when the Miranda warning is used; the individual shall be requested to sign a statement of rights and acknowledgment and waiver (Form 427-042). This form explains the rights of the individual and is signed by the investigator and the subject of the investigation.

d. Assembled information may be presented to the appropriate county attorney.

e. The economic assistance fraud bureau may use all investigative evidence-gathering procedures, including administrative subpoena, which are in compliance with appropriate city, county, state and federal laws, rules, and regulations. Information collected about recipients of public assistance is confidential and will not be released during an investigation to anyone not involved in the investigation.

**74.3(2)** Lost or stolen warrants are investigated by the economic assistance fraud bureau when a written request is received from DHS. The results of the investigation are returned to DHS.

- a. The decision to issue or withhold a second warrant is made by DHS.
- b. If a warrant is not replaced and someone is to be prosecuted, the department prepares information for the appropriate county attorney.
- c. Specific procedures followed by both the department and DHS staff are contained in “Lost/Stolen Warrant Replacement Procedures” agreed to by department and DHS staff. A copy is available upon request through the Director’s Office, Department of Inspections and Appeals, Lucas State Office Building, Des Moines, Iowa 50319.

**481—74.4(10A) Investigations.** Investigations may be conducted before a license or permit is issued when requested by the alcoholic beverages division of the department of commerce.

**74.4(1)** The material gathered is confidential and will be returned to the alcoholic beverages division.

**74.4(2)** Inquiries relative to these investigations must be sent to alcoholic beverages division.

**481—74.5(10A) Executive branch investigations.** Conduct investigations as requested by agencies, commissions and boards within the executive branch of state government.

These rules are intended to implement Iowa Code sections 10A.105, 10A.402(7), 17A.13 and 22.11.

[Filed 9/18/87, Notice 7/29/87—published 10/7/87, effective 11/11/87]