

11—40.5(8A) Duties of the department—performance of the offset. The department will develop procedures for administering each offset program request by a public agency on an individual debtor basis. Procedures will vary in order to achieve the greatest efficiency in administering each offset.

Before issuing an authorized payment to a person or entity, the department will match the payment against a debt listing provided by the public agencies participating in the offset program. The department will notify the public agency of the debtor's or entity's name, address, identifying number, and amount of the entitled payment.

The department shall hold the payment which offsets the liquidated sum due and payable for a period not to exceed 45 days while awaiting notification from the agency as to the amount required to satisfy the debtor's or entity's debt to the state. If notification is not made to the department by the public agency within 45 days, the amount of the payment shall be released to the debtor or entity.

The department will make the offset only after the public agency has notified the debtor or entity as prescribed in subrule 40.4(4). The department shall then refund any balance amount due from the public agency to the debtor or entity.

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