

**441—46.27(239B) Procedures for recoupment.**

**46.27(1)** Reserved.

**46.27(2)** *Referral.* When the department determines that an overpayment exists, the case shall be referred to the department of inspections and appeals for investigation, recoupment, or referral for possible prosecution.

**46.27(3)** Reserved.

**46.27(4)** *Change of circumstances.* When financial circumstances change, the Agreement to Pay a Debt is subject to revision.

**46.27(5)** *Collection.* Recoupment for overpayments shall be made from the parent or nonparental relative who was the caretaker relative, as defined in 441—subrule 41.22(3), at the time the overpayment occurred. When both parents were in the home at the time the overpayment occurred, both parents are equally responsible for repayment of the overpayment.

**46.27(6)** *Suspension and waiver.* Recoupment will be suspended on nonfraud overpayments when the case is canceled and the amount of the overpayment is less than \$35. If the case is reopened within three years, recoupment is initiated again. Recoupment will be waived on nonfraud overpayments of less than \$35 which have been held in suspense for three years.

[ARC 6496C, IAB 9/7/22, effective 11/1/22]