

**Senate Study Bill 1167 - Introduced**

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED DEPARTMENT OF  
HOMELAND SECURITY AND  
EMERGENCY MANAGEMENT BILL)

**A BILL FOR**

1 An Act relating to the recovery of benefits inappropriately  
2 obtained from the department of homeland security and  
3 emergency management.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. Section 10A.108, subsection 1, Code 2025, is  
2 amended to read as follows:

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

13 b. A lien under this section shall not attach to any amount  
14 of inappropriately obtained benefits or provider payments, or  
15 portions of the benefits or provider payments, attributable  
16 to errors by the department of health and human services or  
17 the department of homeland security and emergency management,  
18 as applicable. Liens shall only attach to the amounts  
19 of inappropriately obtained benefits or provider payments or  
20 portions of the benefits or provider payments which were obtained  
21 due to false, misleading, incomplete, or inaccurate information  
22 submitted by a person in connection with the application for or  
23 receipt of benefits or provider payments.

24 Sec. 2. Section 10A.108, subsection 4, unnumbered paragraph  
25 1, Code 2025, is amended to read as follows:

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

35 Sec. 3. Section 10A.108, subsection 4, paragraph b, Code

1 2025, is amended to read as follows:

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

5 Sec. 4. Section 10A.108, subsection 8, Code 2025, is amended  
6 to read as follows:

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

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

22 1. Following a review of an applicant's or recipient's  
23 eligibility to receive moneys under section 29C.20A or 29C.20B,  
24 the department may refer cases of suspected fraud along with any  
25 supportive information to the department of inspections, appeals,  
26 and licensing for review.

27 2. In cases of substantiated fraud, upon conviction, the  
28 state shall review all appropriate legal options including  
29 but not limited to removal of a recipient from other public  
30 assistance programs and garnishment of wages or state income tax  
31 refunds until the department recovers an amount equal to the  
32 benefits fraudulently claimed.

33 3. The department may refer suspected cases of fraud,  
34 misrepresentation, or inadequate documentation relating to  
35 initial or continued eligibility, or suspected cases of benefits

1 being otherwise inappropriately obtained, to appropriate state  
2 entities for review of such issues in other programs providing  
3 public benefits.

4 EXPLANATION

5 The inclusion of this explanation does not constitute agreement with  
6 the explanation's substance by the members of the general assembly.

7 Under current law, the department of inspections, appeals,  
8 and licensing (DIAL) has the authority to collect payments  
9 inappropriately obtained from the department of health and human  
10 services. This bill expands those provisions to allow DIAL to  
11 collect payments inappropriately obtained from the department of  
12 homeland security and emergency management (HSEM).

13 The bill makes benefits obtained through false, misleading,  
14 incomplete, or inaccurate information given to HSEM a lien in  
15 favor of the state upon a person's property and requires county  
16 recorders to prepare and maintain in the recorder's office an  
17 index of liens owed to HSEM. The bill requires DIAL to collect  
18 delinquent debts owed HSEM as soon as practicable. By operation  
19 of law, the associated provisions relating to lien attachment,  
20 length, preservation, and satisfaction, payment of recording fees  
21 by DIAL, distress warrants, and action by the attorney general  
22 apply to the inappropriately obtained HSEM benefits. HSEM may  
23 refer cases of suspected fraud from the disaster aid individual  
24 assistance grant program and the disaster case advocacy grant  
25 program to DIAL or other state entities for review. If a person  
26 is convicted of fraud, the state must review all legal options  
27 until HSEM recovers an amount equal to the benefits fraudulently  
28 claimed. HSEM may also refer suspected cases of impropriety in  
29 other programs to the appropriate state entity.