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CERTIFICATE

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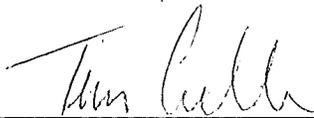
DEC 1 1987
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Revisor of Statutes
Bureau

STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Timothy F. Cullen, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to offsetting overpayments and underpayments in Aid to Families with Dependent Children (AFDC) cases were duly approved and adopted by this Department on November 30, 1987.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 30th day of November, 1987.



Timothy F. Cullen, Secretary
Department of Health and Social Services

SEAL:

2-1-88

ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
ADOPTING RULES

To create HSS 201.30(3)(d), relating to offsetting overpayments and underpayments in Aid to Families with Dependent Children (AFDC) cases.

Analysis Provided by the Department of Health and Social Services

At times an income maintenance agency will make both an underpayment of assistance to an Aid to Families with Dependent Children (AFDC) group and an overpayment of assistance to the same AFDC group. The agency must then correct the underpayment and attempt to recover the overpayment. These currently are two separate actions under s.HSS 201.30(3)(b) and (c).

Federal regulations, 45 CFR 233.20(a)(13)(i)(D), permit a state to offset one payment against the other in these cases. This rule requires income maintenance agencies to do that. This is an administrative improvement which should result in some modest improvement in the use of time by agency staff and somewhat greater effectiveness in recovering overpayments.

The Department's authority to adopt this rule is found in ss.49.195(3) and 49.50(2), Stats. The rule interprets ss.49.19 and ss.49.195(3), Stats.

SECTION 1. HSS 201.30(3)(d) is created to read:

HSS 201.30(3)(d) CASES WITH BOTH UNDERPAYMENTS AND OVERPAYMENTS. When both an underpayment of assistance has been made to the AFDC group and an overpayment of assistance has been made to the same AFDC group, the agency shall offset one payment against the other in correcting the payments. An overpayment shall be offset only in a month in which a supplemental benefit payment is issued to correct an underpayment.

The rule contained in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register as provided in s.227.22(2), Stats.

WISCONSIN DEPARTMENT OF HEALTH
AND SOCIAL SERVICES

Date: November 30, 1987

By:



Timothy F. Cullen, Secretary

Seal:



State of Wisconsin

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
1 West Wilson Street, Madison, Wisconsin 53702

Tommy G. Thompson
Governor

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Timothy F. Cullen
Secretary

Mailing Address:
Post Office Box 7850
Madison, WI 53707

November 30, 1987

Mr. Orlan Prestegard
Revisor of Statutes
7th Floor - 30 on the Square
Madison, Wisconsin 53702

Dear Mr. Prestegard:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of HSS 201.30(3)(d), administrative rules relating to offsetting overpayments and underpayments in Aid to Families with Dependent Children (AFDC) cases.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

These rules concern county administration of a Federal-State public assistance program. They do not directly affect small businesses as defined in s. 227.114(1)(a), Stats.

Sincerely,

Timothy F. Cullen
SECRETARY

Enclosure