

### **.03 NA Overpayment Compromise – NA Compromise Determination**

**REVISION 48**  
(01/01/20 - 12/31/20)

When the person responsible to pay the overpayment submits a request for a compromise, the request is uploaded to OnBase. OPU is notified that a request has been submitted. Within 10 workdays the OPU determines when a request for compromise can be considered.

For a compromise to be considered, all the following must be met:

- The overpayment claim has been established
- The Notice of Nutrition Assistance Overpayment and Intent to Collect Letter has been sent to the person responsible to pay the overpayment
- A pending appeal has been finalized
- An IPV or fraud charge has not been affirmed
- The person responsible to pay the overpayment has submitted a request for a compromise

When any of the above items are not met, the request to compromise is denied and a NUTRITION ASSISTANCE OVERPAYMENT COMPROMISE DENIAL letter is sent informing the participant of the reason for the denial and the right to appeal.

When all of the above items occur, OPU sends the participant the Nutrition Assistance Compromise Request for Income/Expenses Statement within 10 workdays.

**NOTE** All existing collections continue for the person responsible to pay the overpayment until the compromise is finalized.

The person responsible to pay the overpayment must return the completed NUTRITION ASSISTANCE COMPROMISE REQUEST FOR INCOME/EXPENSES STATEMENT as directed with requested information and verification to OPU no later than 30 calendar days following the date the department mailed or otherwise transmitted the NUTRITION ASSISTANCE COMPROMISE REQUEST FOR INCOME/EXPENSES STATEMENT or within an approved extended time.

When the person is unable to provide the information within 30 calendar days, they can obtain an additional 30 calendar day extension.

To obtain an extension, the person responsible to pay the overpayment must contact OPU on or before the 30-calendar day deadline when:

- More time is needed to provide the necessary information for the NA compromise claim
- The person responsible to pay the overpayment needs help obtaining the verification

When the person fails to provide the completed NUTRITION ASSISTANCE COMPROMISE REQUEST FOR INCOME/EXPENSES STATEMENT with all required verification, the NA COMPROMISE DENIAL LETTER will be sent.

When the person provides the NUTRITION ASSISTANCE COMPROMISE REQUEST FOR INCOME/EXPENSES STATEMENT and the required verification, the following will be completed:

- The information must be scanned into [OnBase\(g\)](#) within two workdays of receipt.
- OPU has a 20-workday time limit to complete the [OP compromise determination](#).
- OPU documents the [case file\(g\)](#), uploads the Compromise Worksheet to OnBase and completes the [OP compromise determination](#).
- A notice is sent to the participant informing them of the decision.