

.01 IPV - Administrative Disqualification Procedures - FAA Responsibilities

REVISION 49
(01/01/21 - 12/31/21)

FAA has several responsibilities regarding [Intentional Program Violation](#) (IPV) administrative disqualifications.

The worker must ensure the PI or representative understands the disqualification procedures each time they apply for benefits and at each renewal.

For in-person hearings, the FAA representative, the Region Appeal Coordinator, or the designated representative who attends the NA administrative disqualification appeal must take the NA [Waiver of the Right to an Administrative Disqualification Appeal](#) (OARC1) form to the appeal. This is in the event the participant decides to waive the [disqualification appeal](#) hearing at the time of the appeal. When the waiver is obtained at the appeal, FAA must send a copy to the Office of Accounts Receivable and Collections (OARC). (See [OARC Collections Address](#))

FAA must honor sanctions imposed against a participant from another state agency that administers the NA program. FAA must consider prior violations committed in another state when determining the appropriate sanction.

When OARC requests the allotment amount after the disqualified participant is convicted of an IPV, the Overpayment Unit (OPU) computes the disqualification budget. OPU notifies OARC of the new benefit amount. OPU completes the following to compute the disqualification budget:

- Keys DF in the PT field on SEPA next to the disqualified participant
- Enters through the AZTECS screens to FSAD to determine the new allotment amount
- Sends the new allotment via email to OARC
- Reverts all screens to the previous approval status until OARC sends the Notice of Disqualification for Intentional Nutrition Assistance Program Violation letter

When OARC sends the Notice of Disqualification for Intentional Nutrition Assistance Program Violation letter, OPU imposes the disqualification on open NA cases by completing the following:

- On SEPA Key DF in the PT field next to the disqualified participant in the month the disqualification starts
- On PRAP key IP in the third field alert type for the disqualified program (FS or AF)
- On PRAP key a Y under the DISA WKSN for FS
- Press enter two times to land on the DISA Page 2
- On DISA key the consecutive IPV number in the IPV NBR field
Key the disqualification start date (MMYY) in the IPV START DT field
Key the length of the disqualification in the DISQ PERIOD field
Document an explanation of the IPV disqualification in the DOC section and the [case file\(g\)](#)
- Send the DENIAL/CLOSURE/DECREASE for IPV notice (C204)
- Send OARC an email verifying the disqualification has been imposed

When OARC sends the Notice of Disqualification for Intentional Nutrition Assistance Program Violation letter, OPU imposes the disqualification on closed or denied NA cases by completing the following:

- Documenting an explanation of the IPV disqualification in the DOC section on DISA and the casefile with the following:
Date of the notice
Decision date
The guilty party's first and last name
The hearing date
Timeframe of the disqualification
Action taken in AZTECS
- Sends OARC an email verifying the case is closed and documentation was added to the case file.

Legal References: 7 CFR 273.16