

Index No.: 3-93-02  
Region: All Regions  
Provision: 273.18(d)&(g)  
December 2, 1992  
Subject: Collection of Multiple Claims via Allotment Reduction

This Policy Memo revises Policy Memo 83-16, dated July 21, 1983 and supersedes all previous policy clarification on this same Subject.

In the third sentence of the third paragraph under Answer, delete the word "must" and insert "may." The sentence will then read: "However, an intentional program violation claim may be recouped at the same time as an inadvertent household error claim if both claims exist."

Rationale: Recently, several States have expressed concern regarding the requirement for simultaneous recoupment of multiple claims of different types. In response to these concerns, and after further review, we have decided to make this an option. States will now be allowed to recoup multiple claims from the same household either simultaneously or in sequence, whether the claims are of the same (e.g. two IPV's) or different types (e.g. one IPV/one IHE).

However, under 7 CFR 273.18(g)(4)(i) and (iii), States are reminded that for inadvertent household error claims, the amount to be recouped shall be 10 percent of the household's monthly allotment or \$10, whichever is greater. For intentional program violation claims, the amount to be recouped shall be 20 percent of the household's monthly allotment or \$10, again, whichever is greater. Under no circumstance shall a State recoup a total of more than 20 percent or \$10 per month per household, whichever is greater.

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