

**NOTICE OF INCOME OFFSET AGAINST STATE WARRANTS
FOR DEBTS OWED THE DEPARTMENT OF HUMAN SERVICES**

«name»
«address»
«city», «state» «zip»

SS #: «ssn» SID #: «sid»

Dear «name»:

The Department of Human Services' records indicate that you have an outstanding overpayment of financial benefits (Family Investment Program or Refugee Cash Assistance, Food Stamps, Medicaid or State Supplementary Assistance, PROMISE JOBS, or Child Care Assistance). The total balance owed is **«dollar»**. This amount is owed to the Department because of «Cause».

You have either not made a satisfactory agreement to repay or you have not kept current with an agreement to repay.

Your Iowa warrant(s) [check] is being held to offset the outstanding balance in the amount of **«dollar1»**. Of that amount, **\$5.00** will be used to pay the processing fee (no fee for food stamps). If the outstanding balance is less than the warrant, the remainder will be sent to you.

This action is taken under the authority granted in Iowa Code sections 8A.504, 441 Iowa Administrative Code 11.4(1), 11.4(2) and 170.9(5), and 701 Iowa Administrative Code 150.4.

Jointly Owned Warrants: If the warrant is jointly owned by two or more persons, and you believe their part of the refund should not be applied to the debt, you must **request in writing** that the warrant be divided. The share belonging to the other person(s) will be released if you make the request in a timely manner. If the other person(s) were also members of the same household at the time of the overpayments, a division of the refund cannot be made.

Send your request to the address shown below **within 15 calendar days of the date of this notice**. You are **not required to file an appeal in order to request a division**.

Overpayment Recovery Unit
Iowa Department of Inspections and Appeals
(for the Iowa Department of Human Services)
321 East 12th Street, 3rd Floor
Des Moines, Iowa 50319-0083
Phone: 1-800-572-3945 (toll free) or local call 515-281-3872

YOUR RIGHTS TO APPEAL THIS ACTION ARE EXPLAINED ON THE BACK OF THIS NOTICE.

If you need help with filing an appeal, you may contact Iowa Legal Aid at **1-800-532-1275**, or if you live in Polk County call **243-1193**.

APPEAL RIGHTS

If you disagree that you have received an overpayment or disagree with the method of collection about which this letter tells you, you have the right to appeal. Your appeal right and procedures of a hearing are explained in the 441 Iowa Administrative Code, Chapter 7.

How to Appeal. For food stamps you can appeal verbally or in writing. For all other programs you must appeal in writing. Send or take your appeal to the Department of Inspections and Appeals, Overpayment Recovery Unit, at the address shown on the front of this notice **or** to the Department of Human Services, Appeals Section 5th Fl, 1305 E Walnut St, Des Moines, Iowa 50319-0114. You may also file an appeal electronically at www.dhs.state.ia.us/APPEALS.asp. There is no fee or charge for an appeal. Your county Department of Human Services office can help you file an appeal.

Time Limits. You must file your appeal within 15 calendar days of the date of this Notice to be assured of a hearing. When the appeal is filed late [that is more than 15 calendar days, but less than 90 calendar days after the date of this Notice], the Director of the Iowa Department of Human Services must approve, **based on a good cause for late filing**, whether a hearing shall be granted. No hearing shall be granted if the appeal is filed more than 90 calendar days from the date of this Notice. Any discussion between you and the Department **does not** extend these time periods nor diminish your right to a hearing.

Granting a hearing. The Department of Human Services will determine whether or not an appeal may be granted a hearing. If a hearing is granted, you will be notified of the procedure for the hearing. If a hearing is not granted, you will be notified of the reason and the procedures for challenging that decision.

Presenting Your Case. If an appeal hearing is granted, you may explain your disagreement or have someone else like a relative or friend explain your disagreement for you. You may be represented by an attorney but DHS will not pay for the attorney. Your county DHS office has information about legal services available to you that are based on your ability to pay. You may also phone Iowa Legal Aid at 1-800-532-1275. If you live in Polk County, phone 243-1193.

POLICY ON NONDISCRIMINATION

This action was **taken** without regard to race, creed, color, sex, age, physical or mental disability, religion, national origin, or political belief. If you have reason to believe that you have been discriminated against for any of the reasons stated above, you may file a complaint with the Iowa Department of Human Services by completing a discrimination complaint form. Any of the Department's offices, institutions, or the Diversity Programs Unit can give you a form. You may also file a complaint with the Iowa Civil Rights Commission (if you feel you were treated differently **because of** your race, creed, color, national origin, sex, religion, or disability), and the United States Department of Health and Human Services, Office for Civil Rights.

IOWA DEPARTMENT OF HUMAN SERVICES
Diversity Programs Unit 1st Fl
1305 E Walnut St
Des Moines IA 50319-0114

IOWA CIVIL RIGHTS COMMISSION
211 E Maple St
Des Moines IA 50309-1858

US DEPARTMENT OF HEALTH AND HUMAN SERVICES
Office for Civil Rights Region VII
Rm 248 Federal Bldg
601 E 12th St
Kansas City MO 64106-2808
(FIP, Medicaid, and other services only)

US DEPARTMENT OF AGRICULTURE
Director Office for Civil Rights
Rm 326-W Whitten Bldg
1400 Independence Avenue SW
Washington DC 20250-9410
Call (202) 720-5964 (Voice or TDD)
USDA is an equal opportunity provider and employer
(Food Stamps only)