



Iowa Department of Human Services
**Notice of Setoff of an Iowa Income Tax Refund
for Debts Owed the Iowa Department of Human Services**

Date Issued:

Account Number:

You owe money to the Department of Human Services (DHS). Either you have not made a satisfactory agreement to repay, or you have not kept your agreement to repay the money you owe.

As of the date on this notice the amount of past due debt on your account is \$ _____ The total you owe DHS may be more than this amount.

We are holding your Iowa income tax refund of \$ _____ to repay all or part of the past due amount you owe DHS.

Frequently Asked Questions

What if my tax refund is more than my past due account?

- Your tax refund may be used to pay other agencies you owe money to.
- The rest of your tax refund will be sent to you.

Will DHS keep my spouse's share of the tax refund?

You can ask DHS to split your tax refund if:

- You and your spouse filed a tax return together (joint return), and
- Your spouse was not living in the home during the time for which the money is owed.

Follow these steps:

1. You must **write us a letter within 15 calendar days of the date on this notice**. Your letter needs to include:
 - Your full name and your spouse's full name
 - Both of your social security numbers
 - The account number shown at the top of this notice
 - The reason why you want the tax refund split
2. **Mail the letter to:** Iowa Department of Inspections and Appeals, Division of Investigations,
Public Assistance Debt Recovery Unit, 3rd Floor, 321 E. 12th Street, Des Moines, IA 50319-0083

Questions???? If you have questions about splitting your tax refund, call the Department of Inspections and Appeals (DIA) at **1-800-572-3945** (toll free).

Can I appeal this tax setoff?

- If you do not agree with having your state tax refund used to pay the money that you owe DHS, you may appeal. Your appeal rights are explained on the back of this notice.
- You do not need to file an appeal to ask for your tax refund to be split. Follow the instructions above under "Will DHS keep my spouse's share of the tax refund?" If your tax split is denied, you may appeal.

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

This action is taken under the authority granted in Iowa Code Sections 8A.504, and the Iowa Administrative Code, 441--11.4(217) and 170.9(5).

You Have the Right to Appeal

What is an appeal?

An **appeal** is asking for a hearing because you do not like a decision the Department of Human Services (DHS) makes. You have the right to file an appeal if you disagree with a decision. You do not have to pay to file an appeal. [441 Iowa Administrative Code Chapter 7].

How do I appeal?

Filing an appeal is easy. You can appeal in person, by telephone or in writing for Food Assistance or Medicaid. You must appeal in writing for all other programs. To appeal in writing, do **one** of the following:

- Complete an appeal electronically at <https://dhssecure.dhs.state.ia.us/forms/>, or
- Write a letter telling us why you think a decision is wrong, **or**
- Fill out an Appeal and Request for Hearing form. You can get this form at your county DHS office.

Send or take your appeal to the Department of Human Services, Appeals Section, 5th Floor, 1305 E Walnut Street, Des Moines, Iowa 50319-0114. If you need help filing an appeal, ask your county DHS office.

How long do I have to appeal?

For Food Assistance or Medicaid, you have 90 calendar days to file an appeal from the date of a decision. For all other programs, you must file an appeal:

- Within 30 calendar days of the date of a decision or
- Before the date a decision goes into effect

If you file an appeal more than 30 but less than 90 calendar days from the date of a decision, you must tell us why your appeal is late. If you have a good reason for filing your appeal late, we will decide if you can get a hearing.

If you file an appeal 90 days after the date of a decision, we cannot give you a hearing.

How will I know if I get a hearing?

You will get a hearing notice that tells you the date and time a telephone hearing is scheduled. You will get a letter telling you if you do not get a hearing. This letter will tell you why you did not get a hearing. It will also explain what you can do if you disagree with the decision to not give you a hearing.

Can I have someone else help me in the hearing?

You or someone else, such as a friend or relative can tell why you disagree with the Department's decision. You may also have a lawyer help you, but the Department will not pay for one. Your county DHS office can give you information about legal services. The cost of legal services will be based on your income. You may also call Iowa Legal Aid at 1-800-532-1275. If you live in Polk County, call 243-1193.

Policy Regarding Discrimination, Harassment, Affirmative Action and Equal Employment Opportunity

It is the policy of the Iowa Department of Human Services (DHS) to provide equal treatment in employment and provision of services to applicants, employees and clients without regard to race, color, national origin, sex, sexual orientation, religion, age, disability, political belief or veteran status.

If you feel DHS has discriminated against or harassed you, please send a letter detailing your complaint to: Iowa Department of Human Services, Hoover Building, 5th Floor – Policy Bureau, 1305 E Walnut, Des Moines, IA 50319-0114 or via email contactdhs@dhs.state.ia.us

(Food Assistance only) USDA – Director, Office of Adjudication, 1400 Independence Ave SW, Washington, DC 20250-9410, or call 1-866-632-9992 voice. Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at 800-877-8339; or 800-845-6136 (Spanish).



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