

1.1 moves to amend H.F. No. 1443 as follows:

1.2 Page 5, after line 14, insert:

1.3 "Sec. Minnesota Statutes 2014, section 256D.02, is amended by adding a
1.4 subdivision to read:

1.5 Subd. 1b. **Cash assistance benefit.** "Cash assistance benefit" means any payment
1.6 received as a disability benefit, including veterans or workers' compensation; old age,
1.7 survivors, and disability insurance; railroad retirement benefits; unemployment benefits;
1.8 and benefits under any federally aided categorical assistance program, supplemental
1.9 security income, or other assistance program."

1.10 Page 17, line 2, after "119B" insert "or group residential housing under chapter 256I"

1.11 Page 17, line 6, after the comma insert "except as provided for interim assistance in
1.12 section 256D.06, subdivision 5,"

1.13 Page 17, line 10, delete "in section 256J.21, subdivision 3 or 4,"

1.14 Page 17, after line 24, insert:

1.15 "Subd. 4. **Recovering GA and MSA overpayments.** (a) If an amount of assistance
1.16 is paid to an assistance unit in excess of the payment due, it shall be recoverable by the
1.17 agency. The agency shall give written notice to the participant of its intention to recover
1.18 the overpayment.

1.19 (b) If the individual is no longer receiving assistance, the agency may request
1.20 voluntary repayment or pursue civil recovery.

1.21 (c) If the individual is receiving assistance, except as provided for interim assistance
1.22 in section 256D.06, subdivision 5, when an overpayment occurs the agency shall recover
1.23 the overpayment by withholding an amount equal to:

1.24 (1) three percent of the assistance unit's standard of need for all MSA assistance
1.25 units, and non-fraud cases for GA; and

1.26 (2) ten percent where fraud has occurred in GA cases; or

1.27 (3) the amount of the monthly GA or MSA payment, whichever is less.

2.1 (d) In cases when there is both an overpayment and underpayment, the county
 2.2 agency shall offset one against the other in correcting the payment.

2.3 (e) Overpayments may also be voluntarily repaid, in part or in full, by the individual,
 2.4 in addition to the assistance reductions provided in this subdivision, to include further
 2.5 voluntary reductions in the grant level agreed to in writing by the individual, until the
 2.6 total amount of the overpayment is repaid.

2.7 (f) The county agency shall make reasonable efforts to recover overpayments to
 2.8 people no longer on assistance. The agency need not attempt to recover overpayments
 2.9 of less than \$35 paid to an individual no longer on assistance if the individual does not
 2.10 receive assistance again within three years, unless the individual has been convicted of
 2.11 violating section 256.98.

2.12 (g) Establishment of an overpayment is limited to 12 months prior to the month of
 2.13 discovery due to agency error and six years prior to the month of discovery due to client
 2.14 error or an intentional program violation determined under section 256.046.

2.15 (h) Residents of licensed residential facilities shall not have overpayments recovered
 2.16 from their personal needs allowance.

2.17 (i) Overpayments by another maintenance benefit program shall not be recovered
 2.18 from the GA or MSA grant. "

2.19 Renumber the subdivisions in sequence

2.20 Page 17, line 25, after "Recovering" insert "MFIP"

2.21 Page 18, line 3, after "from" insert "MFIP"

2.22 Page 19, line 1, after the period, insert "Corrective payments must be excluded
 2.23 when determining the applicant's or participant's income and resources for the month
 2.24 of payment."

2.25 Page 19, line 4, delete "subdivision" and insert "subdivisions 4 and"

2.26 Page 19, line 9, after the semicolon, insert "256D.06, subdivision 8; 256D.09,
 2.27 subdivision 6; 256D.49;"

2.28 Renumber the sections in sequence and correct the internal references

2.29 Amend the title accordingly