TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control 660 Department or Agen		nan Resources
		efunds to Non-TANF Clients
NewX Amend	Repeal	Adopt by Reference
Would the absence of the proposed rule		
significantly harm or endanger the public		
health, welfare, or safety?		N/A
nealth, wellare, or safety?		
ls there a reasonable relationship between th	10	•
state's policed power and the protection of th		
public health, safety, or welfare?	G	N/A
public ficultif, surety, or wentare:		14/7
Is there another, less restrictive method of		
regulation available that could adequately		
protect the public?		N/A
protect the public:		IN/A
Does the proposed rule have the effect of		
directly or indirectly increasing the costs		
of any goods or services involved and, if so,		
to what degree?		NO
Is the increase in cost, if any, more harmful		
to the public than the harm that it might resul	t	
from the absence of the proposed rule?	•	N/A
well the about the crime proposed rate,		
Are all facets of the rulemaking process		
designed solely for the purpose of, and so		
they have, as their primary effect, the		
protection of the public?		YES
,		
***************	******	****************
		NO
Does the proposed rule have an economic in	npact?	NO
If the proposed rule has an economic impact	the property	d rulo
·		
is required to be accompanied by a fiscal not accordance with subsection (f) of Section 41		
accordance with subsection (i) of Section 41	-22-23, <u>Code</u>	Ul Mabalila 1975.
************	*****	****************
Certification of Authorized Official		
		ed in full compliance with the requirements of
Chapter 22, Title 41, Code of Alabama 197	<u>5,</u> and that it o	conforms to all applicable requirements of the
Administrative Procedure Division of the Leg		
_		
Signature of certifying officer:		DATE FILED
and A.A.		(STAMP)
Lames C. Gullar	parky dangerous is a control of the latering of	
Date: (5-11-11		

NOTICE OF INTENDED ACTION

AGENCY NAME: Department of Human Resources

RULE NO. & TITLE: 660-3-6-.10 <u>Transmitting Offset Refunds to Non-TANF Clients</u>

<u>INTENDED ACTION</u>: Proposed permanent rule to bring rule in line with child support policy and procedure on recoupment.

<u>SUBSTANCE OF PROPOSED ACTION</u>: To bring rule in line with child support policy and procedure on recoupment. The repayment period for improperly paid refunds is being changed from six(6) months to ninety(90) days to be in agreement with child support policy and procedure.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested parties may submit data, views or arguments respecting the proposed amendment by mail or in person through close of business on July 5, 2011. Persons wishing to submit data, views or arguments orally should contact the Department's Administrative Procedures Secretary between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding State holidays, at (334) 242-1328 to set up an appointment for such oral/in-person presentations.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

July 5, 2011

CONTACT PERSON AT AGENCY:

Mrs. Gail Grobe
State Department of Human Resources
Gordon Persons Building
50 Ripley Street
Montgomery, Alabama 36130-1801

Nancy T. Buckner
Commissioner

660-3-6-.10 Transmitting Offset Refunds to Non-TANF Clients.

- (1) The Department shall promptly send offset refunds due clients except that in the event an offset is made on a federal joint refund, the amount offset shall be retained by the Department for six months from the date the Department was notified of the offset. This is to avoid the potential filing of an amended return and the resulting refund of monies to the taxpayer.
- (2) In the event refund monies are forwarded to a client and it is later determined that the client is not entitled to all or a portion of said amount, the client shall be required to return the amount in dispute to the Department. This could be the result of an erroneous or invalid offset, the filing of an amended return, a hearing decision, etc. The client is to be given an opportunity to repay the money in full or to arrange a payment plan to satisfy the debt within ninety (90) days if unable to pay the full amount.installments over a six (6) month period.

Author: Janice Grubbs

Statutory Authority: Code of Alabama 1975, §§30-4-80 through -98, 38-2-6; 38-2-6(1), 38-10-1 through -11, 40-18-100 through -109; P.L. 93-647; P.L. 98-378; §9 of P.L. 96-611; 42 U.S.C. 651 et seq.; 42 U.S.C. 663; 45 C.F.R. 205-235; 301-306; ALABAMA STATE PLAN — CHILD SUPPORT ENFORCEMENT PROGRAM.

History: Emergency adoption effective August 8, 1985. Permanent adoption effective November 8, 1985. Succedent emergency repealer effective August 30, 1991. Succedent permanent repealer effective December 10, 1991. Succedent emergency amendment effective July 20, 1999. (**Ed. Note**: This rule was previously 660-3-6-.07). Succedent permanent amendment effective August 5, 2011.