**Section 165.10 Overpayments**

An overpayment is financial assistance, food stamp benefits or both issued in error to or in behalf of a client. The Illinois Department of Human Services (Department) initiates action to recover overpayments, whether or not a client is currently eligible for financial assistance, food stamp benefits or both. Refer to Section 165.42(d) for food stamp overpayments of $125 or less.

a) If a person currently receives assistance of the type in which the overpayment occurred, the overpayment shall be collected under Subpart B or C, as the case may be, of this Part.

b) If a family currently participating in the Temporary Assistance for Needy Families (TANF) program has received an overpayment of AFDC or TANF, and has not repaid the money, the overpayment shall be collected under Subpart B or C, as the case may be, of this Part.

c) If a person (including a person who receives only medical assistance) does not currently receive assistance of the type in which the overpayment occurred, the overpayment shall be collected under Subpart D of this Part.

(Source: Amended at 26 Ill. Reg. 400, effective January 1, 2002)