

Part 199.11

Overpayments Recovery

Revision:

Rule:

(a) General.

(b) Authority.

- (1) Federal statutory authority.
- (2) Other authority.

(c) Policy.

(d) Appealability.

(e) Delegation.

(f) Recoupment of erroneous payments.

- (1) Erroneous payments are expenditures of government funds, which are not authorized by law or this part.
- (2) Scope.
 - (i) General.
 - (ii) Debtor defined.
 - (iii) Delinquency defined.
- (3) Other health insurance claims.
- (4) Claims denials due to clarification or change.
- (5) Good faith payment.
- (6) Recoupment procedures.
 - (i) Initial action.
 - (ii) Demand for payment.
 - (v) Collection by administrative offset.
 - (A) Referral for centralized administrative offset.
 - (B) Referral for non-centralized administrative offset.
 - (vi) Collection by transfer of debts to Treasury or a Treasury-designated debt collection center for collection through cross servicing.
 - (vii) Collection by salary offset.
 - (B) Petition for hearing.
 - (C) Extreme financial hardship.
 - (D) Form and content of hearings.
 - (E) Costs for attendance at oral hearings.
 - (F) Hearing official's decision.
 - (viii) [Reserved]
 - (ix) Collection of installments.
 - (x) Interest, penalties, and administrative costs.

- (xi) Referral to private collection agencies.
- (xii) Reporting delinquent debts to credit reporting agencies.
- (xiii) Use and disclosure of mailing addresses.

(g) Compromise, suspension or termination of collection actions arising under the Federal Claims Collection Act.

- (1) Basic considerations.
- (2) Authority.
- (3) Basis for compromise.
- (4) Basis for suspension.
- (7) Payment of compromised claims.
 - (i) Time and manner.
 - (ii) Failure to pay the compromised amount.
 - (iii) Effect of compromise, waiver, suspension or termination of collection action.

(h) Referrals for collection.

- (1) Prompt referral.
- (2) Preservation of evidence.
 - (i) Claims involving indication of fraud, filing of false claims or misrepresentation.
 - (ii) [Reserved]