



North Carolina Department of Health and Human Services Division of Social Services

Economic Independence Section • 325 North Salisbury Street
2420 Mail Service Center • Raleigh, North Carolina 27699-2420
Courier # 56-20-25

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Pheon E. Beal, Director
(919) 733-3055

May 6, 2002

**Re: Extension of Deadline for Pending
Food Stamp Referral Backlog**

Dear County Director of Social Services:

Attention: Program Integrity Supervisors

As part of the North Carolina Food Stamp Claims Management Plan required by federal regulations in 7 CFR 273.18, time frames were established effective September 1, 2001, for the investigation and establishment of overissuances. Referrals for overissuances must be investigated, a determination of whether or not a suspected Intentional Program Violation (IPV) exists, and any resulting non-IPV claims established within 180 days from the date of discovery. For overissuances resulting from suspected IPV's, referrals must be investigated and action initiated to determine that a fraudulent act occurred within 180 days from date of discovery. Such action may be in the form of an Administrative Disqualification Hearing (ADH), a waiver of the ADH, a Disqualification Consent Agreement (DCA), or criminal court action. When decisions are rendered by one of these methods, action must be taken to establish a claim in EPICS within 30 days for all of these methods except court determinations. For court determinations, claims must be established within 45 days of the court order.

In July 2001, the Special Investigators Advisory Committee requested that referrals dated prior to September 1, 2001, be excluded from these time frame requirements. The United States Department of Agriculture (USDA), Food and Nutrition Service granted North Carolina approval to exclude referrals dated prior to September 1, 2001, from the new time frame requirements; however, USDA has stipulated that this backlog of referrals be completed in a timely manner.

As many counties have excessive backlogs and limited resources to investigate overissuances, a request was made by the Special Investigators Advisory Committee on February 12, 2002, to extend the time period for completing the backlog of referrals. In consultation with USDA, the deadline for completing investigations on referrals dated prior to September 1, 2001, has been extended to July 31, 2002.

Please contact your Program Integrity Representative if you have any questions regarding the information contained in this letter.

Sincerely,

Wilbert R. Morris, Chief
Economic Independence Section

WRM/DL/ds
EI-12-2002