# TREASURY OFFSET PROGRAM (TOP)

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# WHAT IS TOP? "TREASURY OFFSET PROGRAM"

 TOP is the most effective collection method for households that are no longer participating in SNAP "Supplemental Nutrition Assistance Program".

## Why We Use TOP?

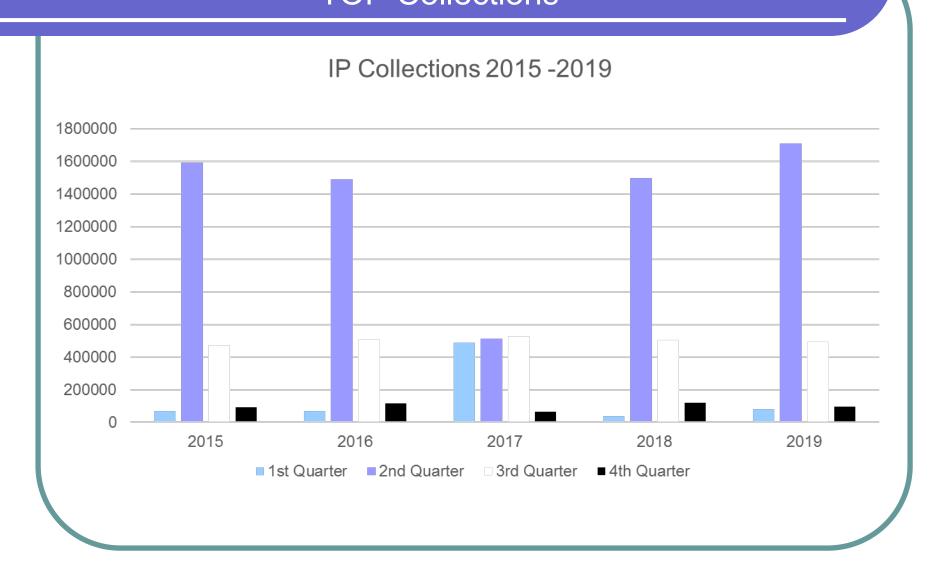
- It's the Law Debt Collection Improvement Act (DCIA) requires all Federal debt delinquent for 120 days be submitted to TOP providing no exceptions.
- Section 844 Personal Responsibility and Work Opportunity Reconciliation Act 1996 (PRWORA) requires participation in federal collection programs for recovery of SNAP recipient over-payments.
- It's Effective \$3 billion in collections since the beginning of the program.
- Collecting 45% of all debts submitted.

## Why We Use TOP

"TOP Collection"

	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Totals		
FY 2015	70512.40	\$1,590,647.82	\$471,060.51	\$93,450.89	\$2,225,671.62		
FY 2016	\$69,255.73	\$1,488,118.89	\$506,513.66	\$115,245.40	\$2,179,133.68		
FY 2017	488,028.81	\$513,500.19	\$529,247.50	\$66429.90	\$1,597,206.40		
FY 2018	\$37,630.03	\$1,496,675.23	\$503,659.90	\$119,914.30	\$2,157,879.46		
FY2019	\$78,770.27	\$1,708,538.92	\$492,999.50	\$96,979.47	\$2,377,288.16		
Total					\$10,537,199.02		
Avg. Collections % YTD 4%							
Total Collection % YTD							

# Why We Use TOP? "TOP Collections"



## Which Claims Are Eligible?

- All Types of Recipient Claims:
  - Fraud
  - Household
  - Administrative (Agency)

# What Is The Process For Collecting Claims Through TOP?

- Identify debts eligible for collection.
- Request addresses for 60 day notices.
- Send 60 day notice and give due process.
- Certify and maintain debts in TOP.
- Offset eligible payments; and
- Post collections and update debt balances.

## CRITERIA FOR SELECTING (TOP) CLAIMS

- Claims are retrieved from VaCMS on the 31<sup>st</sup> day from Initial Demand Letter date.
- Debt must be at least (1-30) days past due at the time of (60) day notice.
- Debt must be (120) days past due at the time of Certification.
- Error types: ADM, IHE and IPV Status Code must be "Active"
- Balance must be \$26.00 or greater
- Delinquent Date: The first missed payment and must be (120) days or greater at the time of certification.
- All claims selected must have an initial demand letter in VaCMS.
- ADM claims: Initial demand letter must be after 12/01/1996.
- Establish date: (ADM), (IHE) or (IPV) claims not greater than 10 yrs. from the claim begin month.
- Claims in TOP are eligible for the life of the claim.

## **TOP PROCESS**

**PRE-OFFSET ADDRESSES**: These are claims retrieved from VaCMS on the 31<sup>st</sup> day from the date of the initial demand letter. The claims are forwarded to Food and Nutrition Service and Treasury for accurate debtor information and address verification. The claims are returned with a match and no match report. All match clients are eligible for (60) day letters. Claims deemed as no match are not eligible for 60 day letters. The "No Match" response can be retrieved in VACMS under "Claims" in the "TOP Address Request Response" category for verification of the correct last name, SSN# and death status. The claim will be retrieved in the next Pre-Offset Address Request, once the claim is updated with accurate information in VaCMS and the client will get a (60) day notice if the match criteria is met. The Pre-Offset Address can be retrieved in VaCMS under "Claims" in the "TOP Claims" category. VaCMS selects Pre-Offset Addresses on 14th day of each month.

## TOP PROCESS

SIXTY (60) DAY NOTICES: Pre-offset match claims will receive a 60 day notice letter if the 60 day notice criteria is met. The 60 day notices are system generated and sent directly to the client. The (60) day notice allows the client an opportunity to petition a review or establish an approved payment agreement and make payments. The agreement and payment must be posted by local agency to VaCMS within 60 days from the date of the sixty day notice. The 60 day notices sent can be retrieved in VaCMS under "Claims" in the "TOP Claims" category. VaCMS generates 60 day notices on 18th day of each month.

## **TOP PROCESS**

#### • EXCEPTIONS:

Client paying on existing claim

Claims in pending status

Agency approved repayment agreement

Court-order, Bankruptcy or Claim Owner Deceased

Claim status Closed, Terminated or Suspend

Paid in full

Balance \$25 or less and

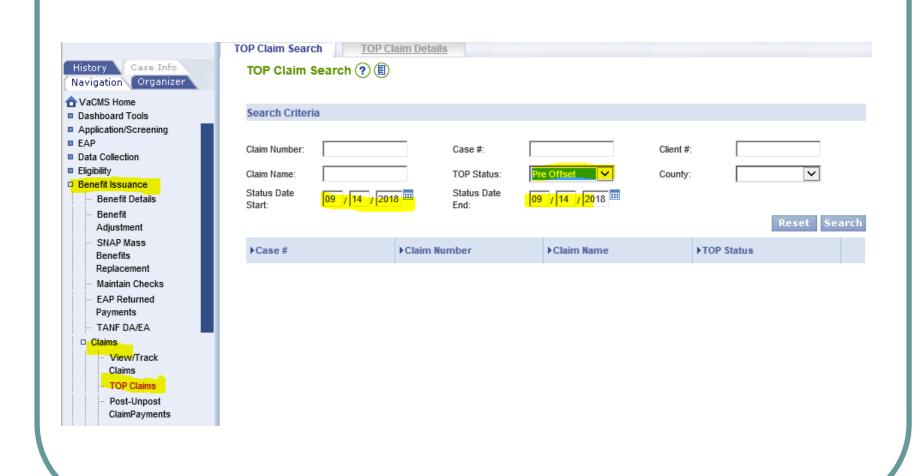
Claim Name or Liable Person has an open SNAP case

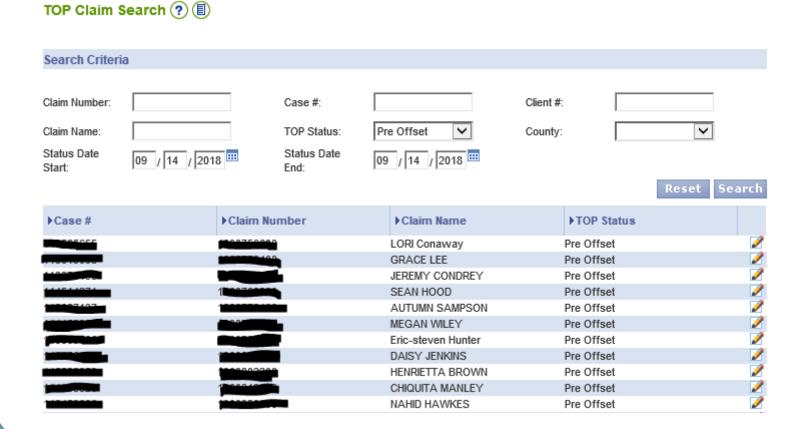
 CERTIFIED DEBTS: Client's who did not respond to 60 day notice and did not meet the exception criteria will be certified to TOP on the 120th day of delinquency or greater.

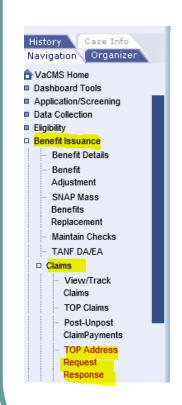
#### **VaCMS Navigation Panel select the following:**

- Benefits Issuance
- Claims
- Top Claims
- TOP Status Click Drop Box and Select a Category
- Status Date: Select date to begin search ( MM/DD/YYYY)
- Status End: Select date to end search (MM/DD/YYYY)
- Click Search –

The specified TOP search criteria will populate.

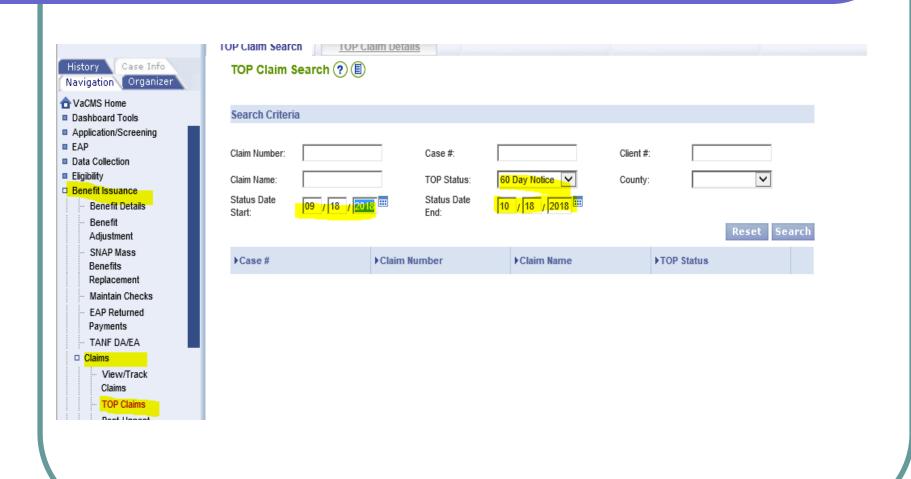


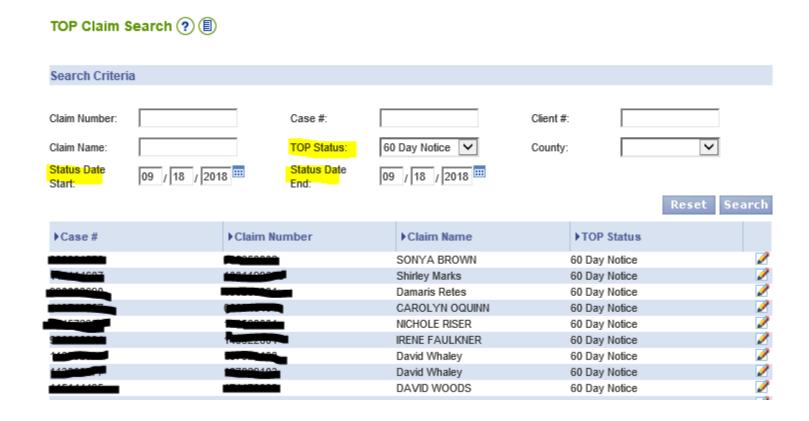


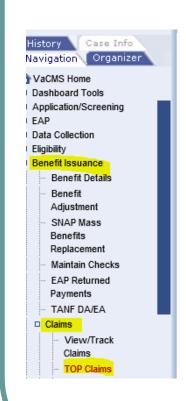


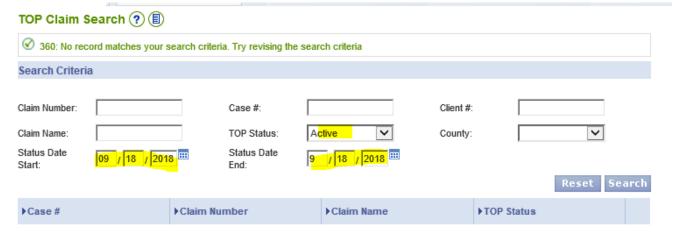


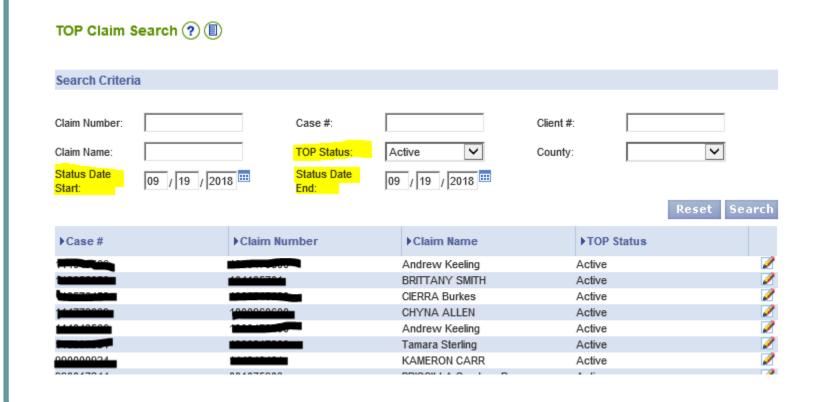












## **TOP Weekly Collections and Reversals**

**TOP Weekly Collections-** Funds collected by the United States Treasury for any over-issuance of SNAP benefits to a household. These funds are received weekly from the United States Treasury and applied to the client's claim ledger every Thursday. The Weekly Collections report can be retrieved in VaCMS.

**Reversals** – Funds collected and returned by the United States Treasury for any over-issuance of SNAP benefits to a household. The funds are sent to the client directly from United States Treasury.

## **TOP Weekly Collections and Reversals**

#### How are the funds collected?

- Federal Pay
- Federal Income Tax
- Social Security Benefits
- Railroad Benefits

## Retrieving TOP Weekly Collections

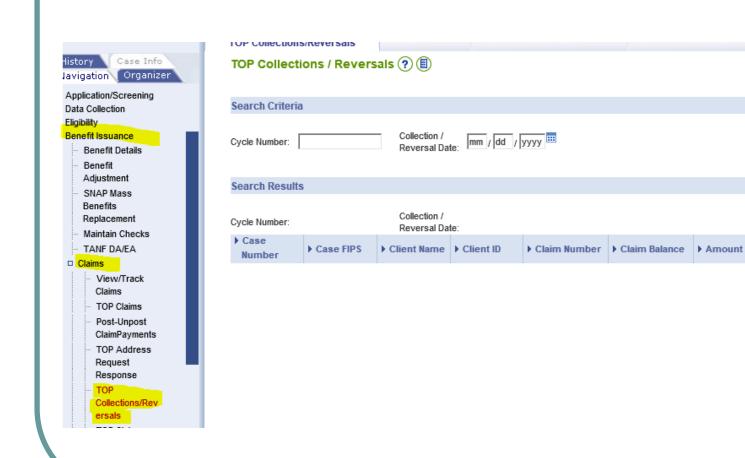
#### **VaCMS Navigation Panel select the following:**

- Benefit Issuance
- Claims
- TOP Collections/Reversals click "Search" Displays last collection file received.

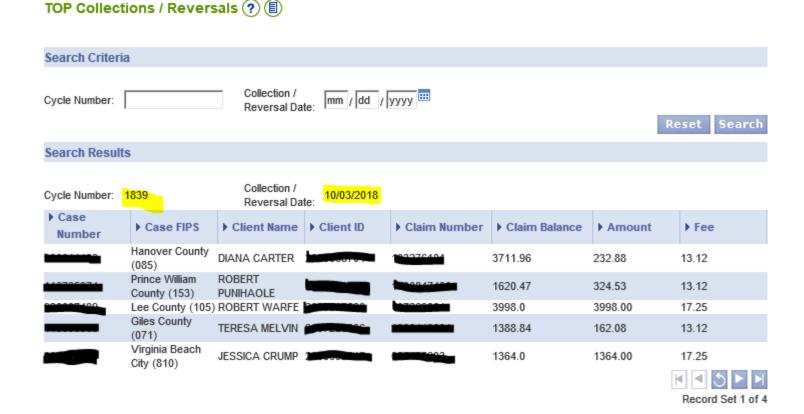
To retrieve a previous week collections enter "Cycle Number" for the corresponding week. The cycle number is based on the calendar year and calendar week. Example: cycle 1801; "18" is the calendar year 2018 and "01" is the first week in the calendar year. Click Header "Case FIPS" to sort in FIP order.

## Retrieving TOP Weekly Collections

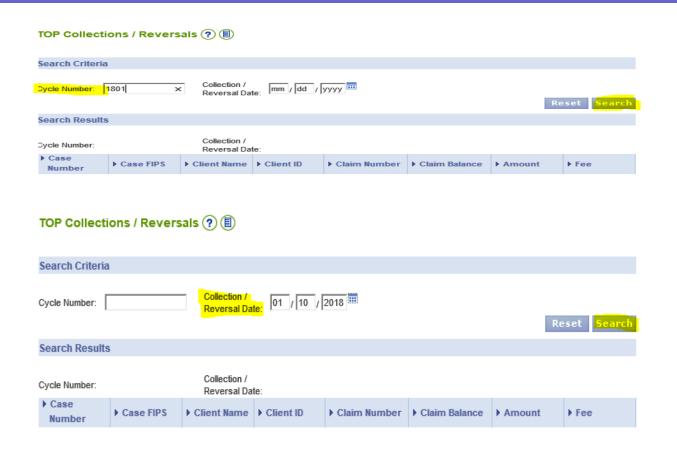
▶ Fee



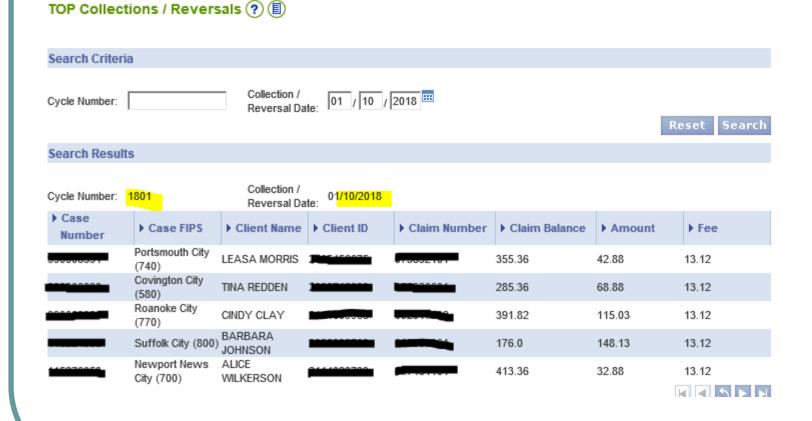
## **TOP Weekly Collections**



## **TOP Weekly Collections**



## **TOP Weekly Collections**



## 2021 TOP Processing Schedule

#### 2021 TOP Processing Schedule

Cycle Number	Address Request sent to FNS(Pre- Offset Address Request File)	Address Response -(Match/ No Match File)	60 Day Notice Sent ( Deadline for client to make New Agreement & Payment)	60 Day Notice Deadline ( All payments and updates must be in VaCMS)	Certify SNAP debts to TOP (120 Days Delinquent)
2104	01/14/2021	02/11/2021	02/18/2021 - 4/19/2021	04/20/2021	05/20/2021
2108	02/14/2021	03/11/2021	03/18/2021 - 5/17/2021	05/18/2021	06/17/2021
2112	03/14/2021	04/08/2021	04/18/2021- 6/17/2021	06/18/2021	07/15/2021
2117	04/14/2021	05/13/2021	05/18/2021- 7/16/2021	07/19/2021	08/19/2021
2121	05/14/2021	06/10/2021	06/18/2021 - 8/17/2021	08/18/2021	09/16/2021
2125	06/14/2021	07/08/2021	07/18/2021 - 9/15/2021	09/16/2021	10/14/2021
2130	07/14/2021	08/12/2021	08/18/2021 -10/15/2021	10/18/2021	11/18/2021
2134	08/14/2021	09/09/2021	09/18/2021 -11/17/2021	11/18/2021	12/16/2021
2139	09/14/2021	10/14/2021	10/18/2021- 12/17/2021	12/20/2021	01/13/2022
2143	10/14/2021	11/11/2021	11/18/2021 - 1/17/2022	01/18/2022	02/18/2022
2147	11/14/2021	12/09/2021	12/18/2021- 2/16/2022	02/17/2022	03/17/2022

- 1. Will there be training for the TOP program in the future?
   Answer: We are in discussions for future TOP training.
- 2. The client starts making cash payments after TOP Certification will the debt be removed from TOP?

**Answer:** No -The debt will stay in TOP until it is paid off or reaches the criteria to be closed or inactive. (The client did not follow TOP guidelines, which states that the client must sign an approved payment agreement and make a payment within 60 days). The payments are considered voluntary.

 3. Are there Pre-offset, 60-day notices, and Certification Reports in VaCMS?

**Answer:** Yes

 4. When the offset amount for year 2019 does not pay the claim off, will the claim be off-set in 2020?

**Answer:** Yes - The client will be off-set again in 2020 without further notice. (Prior to submission, the client received due process and off-sets will be taken until the claim is paid off).

- 5. Can the client make a payment arrangement once the debt is in TOP?
   Answer: Only to pay the debt off in full.
- 6. What happens to a TOP debt after we received a bankruptcy notice?
   Answer: The bankruptcy notice is reviewed and the debt status is updated to inactive in TOP and suspended in VaCMS.
- 7. What is the Federal tax offset fee for year 2021?
   Answer: The Federal tax offset fee is \$18.80.

- 8. What happens when a client in TOP starts receiving benefits?
   Answer: The claim status is updated to inactive in the TOP system.
- 9. What is the responsibility of the agency when a client receives a 60day notice?

**Answer:** Have the client sign an approved payment agreement. The agency must log the agreement and the payment in the VaCMS within 60 days. The approved payment agreement must pay the debt off ASAP or in three years or less. VaCMS assigns a due date 30 days from the date of the signed payment agreement that is entered. This is a system generated date and not selected by the client or the worker.

• 10. Can more than one offset occur in the same year?

**Answer:** Yes, Social Security benefits are off-set monthly; Claim owner and liable person(s) can be off-set individually.

11. Is there an offset fee for each social security offset?

**Answer: Ye**s - \$14.83

 12. What happens when a court-ordered fraud claim is being paid through the Local agency and has no payments posted in VaCMS for (30) days or more?

**Answer:** Claim will be eligible for 60 day notice or TOP Certification depending on TOP Claim Status if not listed as an exception.

 13. What happens when a debtor has more than one claim in TOP and is recertified for SNAP benefit?

**Answer:** All TOP debts are updated to inactive.

 14. What procedure is in place when an IP offset causes the claim ledger to have a negative balance?

**Answer:** A refund is issued to the local agency to be refunded to the client for the amount of the overpayment plus any administration fees if applicable.

- 15. When is the administrative fee refunded on a IP off-set?
   Answer: When the total offset is due to the client.
- 16. What is an IP Reversal?

**Answer:** When a IP payment is received and returned to the client. This is usually due to a client filing an Injured Spouse claim.

• 17. If a client has more than one claim and one claim is a court case, can we collect the other claim(s)?

**Answer**: Yes

 18. Is there a difference from the volunteer payments and court order payments?

**Answer**: Yes, court-ordered payments are paid directly through the court and voluntary payments are paid by the customer without signing a repayment agreement however they are both entered as cash payments in VaCMS.

• 19. How to code different types of claims?

Answer: Claim types are based on the reason the was the claim was established,

**Agency Error** - The claim is no fault of the customer.

**Inadvertent Household Error-** The claim was established due to the customers statement. These are usually without intent.

The state is awarded 20% retention of collections.

Intentional Program Violation Error- The Claim was established due to the intent to defraud by the customer. These claims are determined by the Judge and the state is awarded 35% retention of collections.

 20. What is the most effective way to prevent an overpayment of restitution between Federal and State Tax Intercepts?

#### **Answer:**

- 1. Make sure all payments are entered timely in VaCMS.
- 2. Update claim information timely in VaCMS.
- 3. When notified of a state offset, verify that there's no pending federal offset with Home Office prior to confirmation.
- 4. Inform Home Office of any partial state offsets.
- 5. Inform Home Office of any state offsets that paid the claim in full.

• 21. How are expunged benefits applied to the claim?

**Answer**: VaCMS will automatically apply the expunged benefit to a claim, if the benefit is not used within 12 months

# TOP COLLECTIONS "HOW CAN WE IMPROVE"

- Post cash payments timely to the ledger and update client information accurately.
- Post all IP state tax offset payments timely.
- Ensure recoupments are initiated.
- Update unprocessable claims with correct information in VaCMS. (These claims could be eligible for 60-day notices, but were returned due to discrepancies with last name, Social Security number, death status, etc.)
- Show cause for all court-ordered fraud claims that are not being collected on.
- Only include SNAP claims on the Monthly Payment Report or in correspondence as we should not process TANF claims.

# TOP COLLECTIONS "HOW CAN WE IMPROVE"

- When a claim reaches the 60-day notice deadline, have the client sign the approved agreement to pay the claim off ASAP (no more than three years).
- Research and pursue court-ordered and ADH fraud claims that receive bankruptcy notices (some of these claims could be exempted from bankruptcy.
- When a SNAP claim is established print the Initial Demand Letter and mail to the client.
- Establish a claim if the case is over-issued SNAP benefits.
- Claims not established can not be collected.
- When contacting Home Office concerning SNAP claims, Please provide the SNAP claim number you are inquiring about instead of the case number. The client could have multiple claims under one case.
- Monthly Payment Reports require signatures.

# TOP COLLECTIONS "HOW CAN WE IMPROVE"

Provide updated contact information to Home Office.

To : Barbara Mosley From: FNS TOP Operations

State: VA Re: Match/ No Match File

• Cycle: 1839 Date: 10/9/2018

 Please verify these totals with your data submission before processing to ensure that the totals match.

Your State counts were: COUNT: 803

AMOUNT: \$0.00

 State agencies must send out 60-day notices to former Food Stamp recipients to inform them that their delinquent debt may be referred to the Treasury Offset Program for offset from eligible Federal payments. FNS obtains addresses from the Department of the Treasury and a private company, Experian.

- If a match is made on the social security number and name control, a record code 00 is present on the file along with an address. The State can use this address to send out a 60-day notice. If any other record code is present, the State must review the information before taking action. FNS has completed processing of your recent request for addresses. The following is a listing and description of record codes.
- Record code:
- 00: The social security number and name control on the State's address request matches the same information at Treasury or Experian. An address is provided. This address can be used to send out a 60-day notice to inform the household they have a delinquent debt that may be referred to Treasury Offset Program (TOP).

- 02: The social security number and name control on the State's address request does not match the same information at Experian. The name and address Experian has for the SSN is provided. The State must review the information before taking action. If the State can verify the name provided is being used by their debtor, they can use the address to send a 60-day notice to inform the household they have a delinquent debt that may be referred to TOP. If the State cannot verify the information, they cannot use the name and address.
- 03: The social security number and name control on the State's address request could not be found at either Treasury or Experian. The State should research these records to ensure they have the correct social security number and name.

- 04: The social security number on the State's address request appears to be invalid according to the Social Security Administration's table. This table contains the first three positions of the SSN. The State needs to verify the SSN with their State information.
- 07: An individual with the social security number on the State's address request has been reported to the Social Security Administration as deceased. A name is provided. The State should verify that the debtor and deceased is the same individual. If so, the State should consider terminating the claim or transferring to another responsible household member.