



State demands the return of welfare overpayments from more than ten years ago

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By

Welfare recipients in Ohio who were overpaid more than a decade ago are being asked to pay back the extra money.

But at least one local lawyer wonders if that's appropriate.

The Ohio Department of Job and Family Services sent out nearly 22,000 notices in early November hoping to recover excessive welfare payments that in some cases date back more than 20 years.

About 14,000 of those overpayments were in the form of cash assistance, with the rest in food stamps, said department spokesman Benjamin Johnson. He couldn't provide a range of the overpayment amounts.

The department had previously sought overpayments dating back 10 years after they were issued, said its spokesman Benjamin Johnson. The limitation was recently removed, first by the U.S. Department of Agriculture on food stamps and then by the state for cash assistance.

Nearly 2,000 of the notices went to Cuyahoga County residents seeking a total of \$4.3 million, said Joe Gauntner, the county's deputy chief of staff for health and human services. But he said it's his understanding that the notices include overpayments for less than 10 years as well.



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Welfare recipients are being told to return overpayments of cash assistance and food stamps dating back more than a decade.

Most of the overpayments were probably the result of unintentional errors by county case workers or the applicants, Johnson said, or the result of timing. In those cases, a person's income may have gone up in a month where a welfare check had already been issued.

Not many of the overpayments were the result of fraud, he said.

Johnson said if somebody believes they have received a notice in error they can contact the county and reconcile the issue.

The Legal Aid Society of Cleveland has helped one person who did not owe money. An elderly widow was ordered to return \$4,192 in cash assistance dating back to 1987-88, said the society's deputy director Dave Dawson, but she had documentation to prove she repaid the state 17 years ago.

The woman, who did not want to be identified, said she paid the money after being taken to court.

"If I hadn't had those receipts, I couldn't have proved it," she said.

A second Legal Aid client is said to owe between \$5,000 to \$10,000 going back more than 25 years, Dawson said, but that case has not been resolved.

Dawson said the extension of the limitation may not be fair or efficient.

"Twenty-five plus years, who's going to have the documentation for this stuff?" he said. And the cost to seek some claims may exceed the claims themselves, he said.

Dawson said it's likely that those said to owe money are low-wage workers, possibly on Social Security, and with little ability to make the payment. He said a person receiving a notice has 30 days to protest by sending in documentation or an affidavit explaining why they can prove that they paid the money. If unsuccessful, overpayments in cash assistance by the state can be taken from a person's state tax refund, he said.

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