**Section 2835.100 Cross-Matching**

The Department regularly matches its benefit payments records against the Illinois Directory of New Hires and the Department's own wage record system. Where the cross-matches suggest the possibility that a claimant has worked during the period for which he or she was claiming benefits, the Department will investigate further.

Example: An individual receives regular State benefits for the week beginning January 18, 2009, continuing through April 18, 2009. In certifying to his/her continued eligibility for benefits for those weeks, the individual indicates he/she did not work during any of those weeks. A December 2009 cross-match against the Department's wage records for the first quarter of 2009 indicates the individual worked and was paid wages during that quarter. The follow-up investigation results in a determination, dated December 14, 2009, that the individual fraudulently claimed benefits for the week beginning January 18, 2009 through April 18, 2009, a total of 13 weeks, and the determination becomes legally final. The individual files a new claim for benefits, effective January 24, 2010, without yet having repaid any of the benefits he/she fraudulently obtained. The individual will not receive any benefits until he/she repays the entire amount fraudulently received. After repaying the benefits, the individual will remain ineligible for benefits under Section 901 of the Act [820 ILCS 405/901] until he/she has served 26 "penalty weeks" or December 18, 2011, whichever occurs first. A penalty week is a week in which the claimant is otherwise eligible to receive benefits but is precluded from doing so because of a fraud determination. Six penalty weeks are assessed for the first week for which a claimant fraudulently obtained benefits, and two penalty weeks are assessed for each week thereafter for which the claimant fraudulently obtained benefits, up to a maximum of 26 penalty weeks. There is no durational limit on an individual's liability to repay fraudulently obtained benefits. The individual is also subject to criminal prosecution under the State Benefits Fraud Act [720 ILCS 5/17-6] for the fraudulent receipt of benefits. A conviction for State benefits fraud can result in imprisonment for generally up to five years and a fine of generally up to $25,000. The individual is also subject to a civil lawsuit for recovery of the overpayments.

(Source: Added at 34 Ill. Reg. 8515, effective June 16, 2010)