**Section 140.1310 Recovery of Money**

 a) The Department shall recover any and all State and federal monies that the Director, by his or her final administrative decision, has determined were improperly and erroneously paid by:

 1) direct payment to the Department;

2) recoupment from any future assistance provided by the State pursuant to 305 ILCS 5/11-14.5, provided that the recoupment from the future assistance is the greater of either 20 percent of the household's monthly benefit amount or $20;

 3) recoupment from SNAP benefits pursuant to 305 ILCS 5/11-14.5, provided that the recoupment from the SNAP benefits is the greater of either 20 percent of the household's monthly benefit amount or $20;

 4) initiation of wage garnishment proceedings;

 5) referral of the overpayment to a private collection agency for collection;

 6) referral of the overpayment to the Comptroller of the State of Illinois for collection under Section 10.5 of the State Comptroller Act [15 ILCS 405/10.5];

7) initiation of proceedings to obtain a civil judgment under Section 8A-7 of the Illinois Public Aid Code [305 ILCS 5/8A-7];

8) referral of the overpayment to the Treasury Offset Program for deduction of the debt from tax refunds and/or other federal warrants in accordance with federal regulations (see 7 CFR 272-273); or

9) any legal means consistent with State and federal law.

b) The Department may recover interest, at the rate, and accruing as, stated in 89 Ill. Adm. Code 104.930(b), on State and federal monies that the Director, by his or her final administrative decision, has determined were improperly and erroneously paid to, or on behalf of, any person who knowingly:

1) uses, acquires, possesses or transfers a medical card in any manner not authorized by law or by rules of the Department;

2) aids, abets, incites, compels or coerces the use, acquisition, possession or transfer of a medical card in any manner not authorized by law or by rules of the Department;

3) alters a medical card;

4) uses, acquires, possesses or transfers an altered medical card;

5) obtains unauthorized medical benefits with or without the use of a medical card; or

6) causes to be presented to the Department a claim for unauthorized medical benefits.

(Source: Added at 36 Ill. Reg. 7545, effective May 7, 2012)