

NEIL ABERCROMBIE
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February 11, 2014

MEMORANDUM

TO: The Honorable Mele Carroll, Chair
House Committee on Human Services

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 1892 – RELATING TO HUMAN SERVICES**

Hearing: Tuesday, February 11, 2014 9:30 a.m.
Conference Room 329, State Capitol

PURPOSE: The purposes of H.B. 1892 is to clarify that the recovery of overissuances of supplemental nutrition assistance program assistance and for the recovery of all public assistance overpayments shall be made to the maximum extent allowable by federal regulations.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, however, the DHS already has the authority to collect the maximum overpayments allowable by law and already does so in those cases where it is possible.

Additionally, the overpayments recovery requirements for the Supplemental Nutrition Assistance Program (SNAP) are outlined under the applicable provisions of Public Law 104-134, the Debt Collection Improvement Act (DCIA) of 1996. Under the DCIA, Treasury has been given the primary responsibility to act as the Federal collection

agent for delinquent debts. As such, Treasury now has the overall responsibility for the federal tax refund offset program (FTROP), the Federal salary offset program (FSOP), and administrative offset. The requirements under DCIA apply to SNAP recipient claims and the referral of these claims for Federal collection purposes. SNAP claims are considered Federal debts and participation in FTROP and FSOP is mandated by the amended Food Stamp Act of 1977 at 7 U.S.C. §2022(b)(1)(C). The Act provides standards for establishing and collecting SNAP recipient claims. Also, per the federal Food and Nutrition Services, we were informed that it is not necessary to change state statutes to reference SNAP instead of food stamp.

The purpose of this bill is not clear.

Thank you for the opportunity to provide comments on this bill.