

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1218

5 By: Representative Cavanaugh
6 By: Senator K. Hammer
7

For An Act To Be Entitled

9 AN ACT REGARDING THE SUPPLEMENTAL NUTRITION
10 ASSISTANCE PROGRAM; TO AUTHORIZE THE DEPARTMENT OF
11 HUMAN SERVICES TO RESTORE OR REIMBURSE FOR STOLEN
12 BENEFITS IN CERTAIN CIRCUMSTANCES; TO CREATE THE
13 CLIENT OVERPAYMENT FUND; AND FOR OTHER PURPOSES.
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Subtitle

15
16 REGARDING THE SUPPLEMENTAL NUTRITION
17 ASSISTANCE PROGRAM; TO AUTHORIZE THE
18 DEPARTMENT OF HUMAN SERVICES TO RESTORE
19 OR REIMBURSE FOR STOLEN BENEFITS IN
20 CERTAIN CIRCUMSTANCES; AND TO CREATE THE
21 CLIENT OVERPAYMENT FUND.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code Title 19, Chapter 6, Subchapter 8, is amended
28 to add an additional section to read as follows:

29 19-6-844. Client Overpayment Fund.

30 (a) There is created on the books of the Treasurer of State, the
31 Auditor of State, and the Chief Fiscal Officer of the State a special revenue
32 fund to be known as the "Client Overpayment Fund".

33 (b) The fund shall consist of all moneys appropriated to the fund by
34 the General Assembly.

35 (c) The fund shall be used by the Department of Human Services for the
36 purposes set out in § 20-76-118.



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SECTION 2. Arkansas Code Title 20, Chapter 76, Subchapter 1, is amended to add an additional section to read as follows:

20-76-118. Restoration or reimbursement for stolen Supplemental Nutrition Assistance Program Benefits.

(a) The Department of Human Services shall restore or reimburse benefits under the Supplemental Nutrition Assistance Program to a recipient whose benefits were stolen due to third-party fraud.

(b) The department shall restore or reimburse benefits to a recipient under subsection (a) of this section only if:

(1) Restoration or reimbursement is not available to the recipient by other means, including without limitation federal funds; and

(2) The recipient had no part in the fraud.

(c)(1) The Secretary of the Department of Human Services shall distribute funds from the Client Overpayment Fund in a manner that makes the best use of the funds available.

(2) Full restoration of stolen benefits may not be available, depending on the availability of funding within the fund.