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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 3@ Employment Services Programs

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Part 1@ Employment and Employability Services

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Chapter 1.5@ Employment Training Panel

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Article 4@ PROGRAM OPERATIONS

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Section 4449@ Collection Procedures

4449 Collection Procedures

(a) Overpayment. Reconciliation and audit unit staff of the panel shall notify the contractor by demand letter that an overpayment exists, and such notification shall include the panel contractor billing. The demand letter shall be sent by certified mail, return receipt requested, and request payment in full within 30 days of date of mailing of the letter. If payment is not received within 30 days, a second notice of overpayment shall be sent to the contractor requesting payment in full within five days. If payment is not received within five days, panel staff shall prepare a final notice requesting payment within five days.

(b)

Nonpayment. If payment is not received within five days of the final notice and no appeal is filed to extend the appeal period, the matter shall be referred to the panel's general counsel for action.

(c)

Overdue accounts; installment payments. (1) The panel may authorize liquidation of a debt by use of installment payments when necessary. Panel acceptance of an installment proposal shall be restricted to cases of unusual circumstances. (2) Such proposals shall provide a payment schedule that will liquidate the liability at the earliest possible time. The debtor shall show the reason for an installment plan and its financial ability to remain solvent during the

pay-back period. The panel may require an audited financial statement from the contractor. (3) The panel may require a judgment and lien for each installment proposal approved by the panel. (4) The panel may consider other methods of liquidating the account as approved by the appropriate state agency (i.e., the Attorney General).

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