



TO: **W-2 Agencies  
Training Staff**

FROM: Patara Horn, Director  
Bureau of Working Families  
Division of Family and Economic Security  
Department of Children and Families

BWF OPERATIONS MEMO					
No:	24-18				
DATE:	10/31/2024				
W-2	<input type="checkbox"/>	EA	<input checked="" type="checkbox"/>	CF	<input type="checkbox"/>
JAL	<input type="checkbox"/>				
RAP	<input type="checkbox"/>	TMJ	<input type="checkbox"/>	TJ	<input type="checkbox"/>
Other EP	<input type="checkbox"/>				

**SUBJECT: Emergency Assistance Overpayments**

**CROSS REFERENCE:** [EA Manual](#)  
[Wis. Admin. Code § DCF 120](#)

**EFFECTIVE DATE:** January 2, 2025

**PURPOSE**

The purpose of this operations memo is to announce the new policy and procedures for the implementation of overpayments for the Emergency Assistance (EA) program.

**BACKGROUND**

Wis. Stat. § [49.138\(5\)](#) authorizes collection of overpayments for the EA program. The Bureau of Working Families (BWF) promulgated rule in October 2024 to update Wis. Admin. Code § [DCF 120](#), creating policy and procedures to begin the collection of EA overpayments.

**POLICY**

EA policy updates are summarized below. The relevant policy manual sections are attached to this memo and will be incorporated into the EA Manual. Policy that was removed is highlighted light grey, and language that is added is highlighted yellow.

EA OVERPAYMENTS

Current EA policy states that EA overpayments may be done on a manual and voluntary basis.

Effective January 2, 2025, W-2 agencies must establish EA overpayment claims for any EA payments an individual received but was not eligible for.

Overpayment claims can be established for any payments issued on or after October 1, 2024.

There are three types of overpayments:

<b>Overpayment Type</b>	<b>Description</b>	<b>Recovered from</b>
Administrative Error	The W-2 agency commits an error that results in an incorrect payment. This type of error is also known as an <b>agency error</b> .	W-2 agency that issued the payment
Client Error	The EA applicant reports incorrect information or fails to report information due to a misunderstanding or unintended error.	Adult(s) in the EA group
Intentional Program Violation (IPV)	The EA applicant intentionally misrepresents or withholds information and as a result will receive an IPV.	Adult(s) in the EA group

[See attached EA Manual Sections 7.1.1, 7.1.3, 7.1.4, 7.1.5](#)

#### EA OVERPAYMENT SHAREPOINT

The EA Overpayment SharePoint is a secure website to document all information related to EA overpayments.

All EA overpayment investigation and claim details must be recorded in the EA Overpayment SharePoint. If fraud is suspected in other programs, the W-2 agency must create a referral in the Benefit Recovery and Investigation Tracking System (BRITS) so they can conduct their own investigations.

For all error types, the following must be documented in the EA Overpayment SharePoint within 90 calendar days of the Investigation Start Date:

1. Overpayment investigation information;
2. The investigation decision; and
3. Claim information, when applicable.

The Investigation Start Date is the date the agency begins investigating a potential overpayment.

Additionally, the following must be uploaded into the EA Overpayment SharePoint as part of required documentation:

1. Copies of all notices and EA Overpayment Worksheets when the investigation results in a claim;
2. Copies of any documentation related to overpayment or fraud investigations; and
3. Anything else relevant to the determination or calculation of an overpayment claim.

This does not bar the establishment of claims that fall past this timeframe. See EA Manual Section 7.1.5 for deadlines. Any information entered later than 90 calendar days must have a documented rationale.

[See attached EA Manual Sections 7.1.1, 7.1.2, 7.1.3, 7.1.4, 7.1.5](#)

#### OVERPAYMENT INVESTIGATIONS

Any EA payment potentially paid in error must be investigated for accuracy, capturing details and outcomes in the EA Overpayment SharePoint. All EA overpayment investigations have three potential outcomes:

1. No overpayment claim needed. Based on further investigation, the payment made was accurate;
2. An overpayment claim is needed for either an agency error or an unintentional client error; or
3. A fraud investigation determines an IPV was committed. An overpayment claim and IPV are required.

Investigations must begin promptly upon learning about the potential error, but no later than within five working days.

[See attached EA Manual Section 7.1.1](#)

#### OVERPAYMENT CALCULATIONS

The W-2 agency must establish liability for only the amount of EA benefits incorrectly paid to the individual.

For accuracy and consistency, W-2 agency workers are required to use the form *EA Overpayment Worksheet* (DCF-F-5822-E) to calculate for all types of overpayments.

See attached [EA Manual Section 7.1.1](#) and the [EA Overpayment Worksheet](#)

#### RECOVERING OVERPAYMENTS FROM THE AGENCY

An EA overpayment caused by an agency error will be recovered via contract offset from the W-2 agency that issued the benefits.

BWF will send the form *EA Agency Error Overpayment Notice* (DCF-F-5823-E) to the W-2 agency with the claim information and contract offset month. The notice will be provided at least 30 calendar days prior to the offset.

See attached [EA Manual Section 7.1.3](#) and the [EA Agency Error Overpayment Notice](#)

### RECOVERING OVERPAYMENTS FROM THE INDIVIDUAL

W-2 agencies should establish liability for overpayments only from adults of an EA group on the application for the payment that was paid in error. All overpayments must be repaid in full. EA overpayments can be repaid through the repayment process with the Public Assistance Collection Section (PACS).

PACS will send out repayment agreements for all new claims. All liable individuals must receive, sign, and return the agreement to PACS. If there is more than one liable individual for the overpayment, each liable individual must sign an agreement. They may return their own or both sign the same copy.

[See attached EA Manual Section 7.1.4](#)

### OVERPAYMENT NOTIFICATION FOR CLIENT ERRORS OR IPV'S

As part of establishing the claim, W-2 agencies must send the following to each liable individual via U.S. Mail within two working days of the Overpayment Decision Date:

1. *EA Overpayment Claim Notice* (DCF-F-5821-E); and
2. *EA Overpayment Worksheet* (DCF-F-5822-E).

The form *EA Overpayment Claim Notice* (DCF-F-5821-E) is a fillable form, filled out by the W-2 agency and sent to the liable individuals.

The form *EA Overpayment Worksheet* (DCF-F-5822-E) is a fillable form used to calculate and document how an overpayment was determined. Page 2 of the form includes instructions to assist in filling out the fields.

Both forms will be available in English and Spanish in the [DCF Forms Repository](#) as of the effective date of this memo.

For agency errors, notification to the individual who received the payment in error is not necessary, as they are not responsible for repayment.

See attached [EA Manual Sections 7.1.2, 7.1.3, 7.1.4](#), the [EA Overpayment Claim Notice](#), and the [EA Overpayment Worksheet](#)

### EA ELIGIBILITY AND OVERPAYMENTS

EA overpayments have no impact on an individual's ability to receive subsequent EA benefits provided they meet all other eligibility requirements as described per policy. Eligibility following an IPV determination is described in EA Manual [Chapter 8](#).

[See attached EA Manual Section 7.1.4](#)

### DISPUTE RESOLUTION PROCESS

W-2 agencies may dispute an agency error overpayment determination by following the Dispute Resolution process outlined in the W-2 Agency Contract with the Wisconsin Department of Children and Families, Section XV.

For EA recipients, the dispute resolution process for EA overpayments is separate from the Fact Finding process for EA application and IPV decisions (See EA Manual [Chapter 6](#)). If an applicant wishes to dispute both an overpayment and an application or IPV decision, they must initiate both distinct processes.

Individuals may appeal an overpayment decision by submitting a written request directly to the Division of Hearings and Appeals no later than 30 calendar days from the date of the EA Overpayment Notice.

[See attached EA Manual Sections 6.2.1, 7.1.3, 7.1.6](#)

### FRAUD INVESTIGATIONS AND IPV'S

Various sections of EA Manual [Chapter 8](#) were updated to ensure consistent terminology throughout the W-2 and EA manuals. Additionally, references to new policy for overpayment recovery for IPV's were added to the EA Manual.

[See attached EA Manual Sections 8.1.1, 8.2.1, 8.3.1, 8.5.1](#)

## **EA OVERPAYMENT SHAREPOINT PROCESS**

W-2 agencies must use the EA Overpayment SharePoint to document all information related to overpayment investigations, outcomes, and overpayment claims.

**NOTE:** Documentation in the EA Overpayment SharePoint is a unique process, separate from the W-2 process using BRITS. No other programs have access to this information; therefore, if fraud is suspected in other programs, the W-2 agency must communicate with other affected programs.

If an overpayment claim is not needed, select "No Claim Needed" in the **Status** drop-down after entering all investigation information. This completes the process for this potential overpayment.

If it is determined that a claim is needed:

#### **1. For client errors and IPV's:**

- a. The W-2 agency must send the required forms to each liable individual and upload into the EA Overpayment SharePoint.
- b. Select "Claim Open – Client/IPV" in the **Status** drop-down after entering all investigation and claim information and save the EA Overpayment SharePoint form.
- c. Send an email to PACS to notify a new claim is in the EA Overpayment SharePoint, including the **Claim Number**: [dwspacu@wisconsin.gov](mailto:dwspacu@wisconsin.gov).

## 2. For agency errors:

- a. The W-2 agency must upload the required form into the EA Overpayment SharePoint.
- b. Select "Claim Open – Agency" in the **Status** drop-down after entering all investigation and claim information and save the EA Overpayment SharePoint form.
- c. Send an email to the BWF Contract Administration Section to notify a new claim is in the EA Overpayment SharePoint for contract offset, including the **Claim Number**: [dcfdfesbwfcontracts@wisconsin.gov](mailto:dcfdfesbwfcontracts@wisconsin.gov).

After this, PACS or BWF will begin the collection or offset process. It is important to provide as many details as are available in the EA Overpayment SharePoint to ensure that PACS or BWF have the information required to proceed with the next steps in the process.

### CLAIM NUMBERS

When it is determined that an overpayment claim is needed, the W-2 agency must manually generate a unique number for the **Claim Number** field in the SharePoint for each claim. Only rows in the SharePoint where a claim is needed require a **Claim Number**.

Each **Claim Number** should be ten digits and must be numbered in ascending numerical order with the first one **ending in 1**.

To ensure a unique number statewide, each geographical region will start all of their claim numbers with a specific number (Please note the preceding zeros which must be used):

Milwaukee Northern: 01  
Milwaukee East Central: 02  
Milwaukee Southern: 03  
Milwaukee West Central: 04  
Southeast: 05  
Southwest: 06  
Western: 07  
Northwest: 08  
North Central: 09  
Northeast: 10

For example, the first claim for the Western region would be: 0700000001, followed by 0700000002, 0700000003 etc. For the Northeast region, the first claim would be 1000000001, followed by 1000000002, 1000000003, etc.

### ACCESS TO THE EA OVERPAYMENT SHAREPOINT

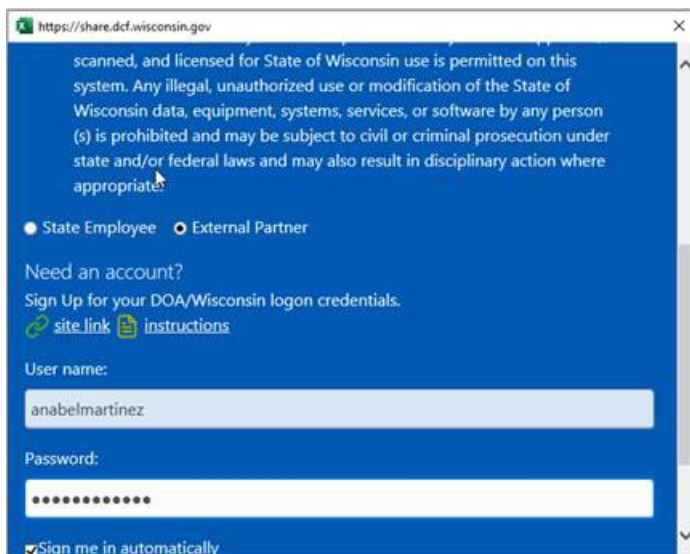
Access to the EA Overpayment SharePoint should be limited to staff that work on overpayments and fraud investigations within an agency. Each W-2 geographical region has a unique SharePoint and can only access overpayment entries for their region. Workers can request access to multiple geographical regions as needed for agencies servicing multiple regions. Access requests to the SharePoint can be sent starting as of the effective date of this memo. Requests prior to this date will not be processed.

Please follow these steps to gain access to the SharePoint:

1. If you do not already have one, you will need to create a WIEXIT ID account. You can do so by clicking on 'Create a Logon' at <https://accounts.dwd.wisconsin.gov/>.
2. Once you have created the account, please e-mail [BWFworkprogramsHD@wisconsin.gov](mailto:BWFworkprogramsHD@wisconsin.gov) with:
  - a. Your WIEXIT ID;
  - b. Your geographical region(s);
  - c. Your request to access the EA Overpayment SharePoint.
3. Once you have been granted access, you will be alerted via email and provided with a link to the EA Overpayment SharePoint.

Logging into the EA Overpayment SharePoint:

1. To log into the EA Overpayment SharePoint, choose the **External Partner** option, then fill in your WIEXIT ID username and password and click Sign in (see screenshot below).
2. If you forgot your WIEXIT ID password, you can reset it at <https://accounts.dwd.wisconsin.gov/>



## TRAINING

A new training, **Training on Demand: Processing Emergency Assistance Overpayments**, will be available in the [Partner Training Team Learning Center](#) approximately one week before the effective date of this memo.

## AGENCY ACTION

W-2 agencies must familiarize staff with the updated policy and procedures described in this memo and update any relevant agency procedures.

## **ATTACHMENTS**

[EA Policy Attachment](#)

[EA Overpayment Claim Notice \(DCF-F-5821-E\)](#)

[EA Overpayment Worksheet \(DCF-F-5822-E\)](#)

[EA Agency Error Overpayment Notice \(DCF-F-5823-E\)](#)

## **CONTACTS**

For W-2 Policy Questions: [BWF Policy Question SharePoint](#)

For W-2, CARES, and WWP Functionality Questions: BWF Work Programs Help Desk  
[BWFworkprogramsHD@wisconsin.gov](mailto:BWFworkprogramsHD@wisconsin.gov)

DCF/DFES/BWF/AP