

Investigations and Reviews
Report

**Consolidated Annual
Report Required by
Senate Bill 30,
75th Legislature**

**Timely Determination of
Overpayments
and
Data Matching Efforts**

September 13, 2021



**Inspector
General**

Texas Health
and Human Services

Section 22.0251, Texas Human Resources Code: Timely Determination of Overpayments

Statutory Provision

The statute requires the Health and Human Services (HHS) Office of Inspector General (OIG) to determine and record the time it takes the agency to establish an overpayment claim in the Supplemental Nutrition Assistance Program (SNAP) or the program of financial assistance; to set goals for increased timeliness; and to adopt a schedule to meet those goals. The statute also requires the agency to submit an annual report to the Governor and Legislative Budget Board detailing the progress in reaching these goals.

Background

One of the keys to recovering improperly received benefits is to determine overpayments in a timely manner. When the agency receives a referral regarding a potential overpayment of benefits, investigators with the OIG's Benefits Program Integrity (BPI) division analyze the case to verify whether an overpayment occurred and, if so, the amount of the overpayment. The investigator also determines whether the case involves an intent to commit fraud. If not, the investigator notifies the recipient of their obligation to repay and their right to due process under the law. If probable cause exists that a felony-grade violation has occurred, the investigator may refer the case to the appropriate local district attorney's office for criminal prosecution. If the circumstances warrant a lower-grade offense, the investigator will pursue the case through an administrative hearing.

Accomplishments

As a measure of timeliness, the BPI division adopted the federal requirement that investigators complete at least 90% of cases within 180 days from the date of referral. This standard is one metric used to measure the investigator's performance. As required by the United States Department of Agriculture (USDA), BPI calculates timeliness from the date the agency receives the referral.

From September 1, 2020 through August 31, 2021, investigators completed **18,262** investigations that involved a SNAP/EBT overpayment, including both fraud and non-fraud overpayment claims. Of the **18,262** cases, **17,125** were completed within 180 days, a timely completion rate of nearly **94%**.

Prior to SFY 2018, all benefits programs investigated within a case were counted as individual investigations. Beginning in SFY 2018, BPI began counting all programs included in a case as a single investigation; however, based on an analysis of our system reports and monthly data comparisons, investigations and their associated timeframes were only being counted only if SNAP was identified as the primary program. In SFY 2021, BPI worked with IT to update SNAP reports to account for all investigations that include a SNAP benefits as part of the investigative case, irrespective of the primary program listed on the investigation. This increased the number of investigations counted in this metric to better reflect the fact that approximately 97% of BPI investigations include SNAP, but it did not substantially change the timely completion percentage. Although the completion percentage improved substantially from SFY 2020 to SFY 2021, that was the result of BPI's focus on preventing delinquencies rather than the new reporting methodology. In fact, the percentage of timely completion was slightly less using the new reporting method than the old.

Benefits Program Integrity Timeliness			
Time frame	Investigations Completed	Investigations Completed within 180 Days	Percent Timely
09/2009 - 02/2010	16,118	14,675	91.05%
03/2010 - 08/2010	20,130	18,461	91.71%
09/2010 - 02/2011	22,281	20,612	92.51%
03/2011 - 08/2011	23,425	21,555	92.02%
09/2011 - 02/2012	24,726	23,275	94.13%
03/2012 - 08/2012	15,222	15,126	99.37%
09/2012 - 02/2013	11,936	11,223	94.03%
03/2013 - 08/2013	13,033	12,203	93.63%
09/2013 - 08/2014	21,458	19,652	91.58%
09/2014 - 08/2015	16,854	15,583	92.46%
09/2015 - 08/2016	14,509	12,123	83.56%
09/2016 - 08/2017	10,639	9,846	92.55%
09/2017 - 08/2018	7,900*	6,830	86.46%
09/2018 - 08/2019	8,952	6,890	76.97%
09/2019 - 08/2020	9,417	6,811	72.32%
09/2020 - 08/2021	18,262**	17,125	93.77%
TOTAL	246,962	231,990	93.9%
*Prior to SFY 2018, all benefits programs investigated within a case were counted as individual investigations. Beginning in SFY 2018, BPI began counting all programs included in a case as a single investigation. Therefore, although it appears that fewer investigations were conducted from SFY 2018 onward, the			

number of investigations has continued to increase over time.

**Starting in SFY 2021, BPI implemented a new methodology to account for all investigations that included SNAP benefits as part of the investigative case, irrespective if SNAP was identified as the primary program. From SFY 2018 to SFY 2020, SNAP investigations were only counted if SNAP was the primary or first type of assistance identified and fully investigated.

Section 531.108, Texas Government Code: Data Matching Efforts from HHSC with Information from Neighboring States and Texas Department of Criminal Justice

Statutory Provision

This statute requires OIG to submit an annual report to the Governor and the Legislative Budget Board regarding the computerized (data) matching of agency information from neighboring states and information from the Texas Department of Criminal Justice (TDCJ).

Background

Under this provision, OIG identifies individuals receiving benefits in another state and identifies incarcerated individuals illegally receiving public assistance benefits.

Accomplishments

Since August 2010, HHSC OIG has participated in the Public Assistance Reporting Information System (PARIS) interstate compact on behalf of Texas. The PARIS interstate match cross-checks social security numbers of active Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) program, and Medicaid clients as sent by State Public Assistance Agencies (SPAA) for a predetermined month within the match quarter. If matched, PARIS sends the matched records

back to the respective SPAA's for review and investigation. Although once-a-year participation is mandatory for Medicaid, the data provided to the program is at the discretion of each SPAA. Texas participates for each match quarter. In Texas, the PARIS match meets the legislative requirement for OIG to match with border-states to identify duplicate benefits.

From September 1, 2020 through August 31, 2021, the agency identified and established overpayment claims for \$394,823 in benefits that had been simultaneously received by individuals in both Texas and another state and in which it was determined that the benefits obtained in Texas should not have been received. During this time, the agency also identified and established overpayment claims for \$786,813 in benefits received by individuals who were ineligible because of incarceration.

PARIS Interstate Match					
Timeframe	Match Count	Referrals Created	Investigations Created	Claims Created	Claim Amounts
09/2009 - 02/2010	PARIS Interstate Matches were implemented effective August 2010.				
03/2010 - 08/2010	3,542	90	35	37	\$45,161
09/2010 - 02/2011	28,756	452	182	137	\$164,888
03/2011 - 08/2011	27,074	341	151	152	\$163,158
09/2011 - 02/2012	30,368	217	112	93	\$82,813
03/2012 - 08/2012	25,634	243	125	131	\$135,203
09/2012 - 02/2013	28,322	372	86	117	\$128,421
03/2013 - 08/2013	30,154	443	197	236	\$295,174
09/2013 - 08/2014	63,775	455	325	384	\$697,290
09/2014 - 08/2015	118,316	643	188	218	\$338,132
09/2015 - 08/2016	148,432	507	267	242	\$439,124
09/2016 - 08/2017	183,781	287	117	63	\$139,217
09/2017 - 08/2018	217,525	537	461	201	\$410,256
09/2018 - 08/2019	212,284	906	501	472	\$858,077
09/2019 - 08/2020	207,758	276	206	251	\$417,952
09/2020 - 08/2021	327,081	569	518	169	\$394,823
TOTAL	1,652,802	6,338	3,471	2,903	\$4,709,689

TDCJ Incarceration Match				
Timeframe	Referrals Created	Investigations Created	Claims Created	Claim Amounts
09/2009 - 02/2010	445	374	375	\$234,142
03/2010 - 08/2010	679	579	560	\$364,729

09/2010 - 02/2011	422	360	357	\$251,007
03/2011 - 08/2011	1,010	848	832	\$547,003
09/2011 - 02/2012	621	493	476	\$302,980
03/2012 - 08/2012	717	546	534	\$533,272
09/2012 - 02/2013	552	457	463	\$458,241
03/2013 - 08/2013	428	374	405	\$372,440
09/2013 - 08/2014	850	683	720	\$761,225
09/2014 - 08/2015	655	354	388	\$367,928
09/2015 - 08/2016	815	582	527	\$752,669
09/2016 - 08/2017	1024	1037	769	\$995,128
09/2017 - 08/2018	664	524	459	\$561,185
09/2018 - 08/2019	739	617	531	\$694,659
09/2019 - 08/2020	443	434	445	\$656,592
09/2020 - 08/2021	555	549	450	\$786,813
TOTAL	10,619	8,811	8,291	\$8,640,013