

Superseded 5/12/2015

35A-3-605 Issuance or modification of administrative order -- Voluntary acknowledgment of overpayment -- Court orders supersede administrative orders -- Notification requirement.

- (1) As used in Subsection (2)(a)(i), "intentional program violation" means obtaining an "overpayment" as defined in Section 35A-3-602.
- (2)
 - (a) Through an adjudicative proceeding, the department may issue or modify an administrative order that:
 - (i) determines whether an overpayment was made, the amount of the overpayment, and whether benefits were obtained by an intentional program violation;
 - (ii) reduces the overpayment to an administrative judgment; or
 - (iii) renews an administrative judgment.
 - (b) The department shall commence an adjudicative proceeding to renew a judgment by serving notice of agency action on the obligor before the judgment is barred by the applicable statute of limitations.
- (3) The department may accept voluntary acknowledgment of an overpayment obligation and enter into stipulated agreements to issue orders and judgments.
- (4)
 - (a) A provision of an administrative order is enforceable against an obligor, unless it is in direct conflict with or is superseded by a provision of a court order.
 - (b) To the extent of any conflict, the court order governs.
- (5) After being properly served with a notice of agency action under this part, an obligor shall notify the department of any subsequent change of address or employment.