



ADMINISTRATIVE RULES OF MONTANA



37.70.115 UNDERPAYMENTS AND OVERPAYMENTS

- (1) When it is discovered that an administrative error resulted in an underpayment of LIHEAP benefits, it may be corrected by increasing the benefit award to cover the underpayment.
 - (a) For purposes of determining financial eligibility, such retroactive corrective payments will not be considered as income.
- (2) Except as provided in (3), current and future program year payments of LIHEAP benefits will be reduced the full amount of prior overpayments, unless the administrative cost of recouping the overpayment would exceed the amount of such overpayment.
- (3) When it is discovered that the local contractor caused an overpayment of LIHEAP benefits, at the sole discretion of the department, the local contractor may be required to repay the entire overpayment to the department, rather than the overpayment being withheld from the household's future payments.

Authorizing statute(s): 53-2-201, MCA

Implementing statute(s): 53-2-201, MCA

History: NEW, 1982 MAR p. 732, Eff. 4/16/82; AMD, 1985 MAR p. 1412, Eff. 9/27/85; TRANS, from SRS, 1998 MAR p. 2059; AMD, 2004 MAR p. 1026, Eff. 4/23/04; AMD, 2011 MAR p. 108, Eff. 1/28/11; AMD, 2015 MAR p. 2145, Eff. 12/11/15; AMD, 2019 MAR p. 2383, Eff. 12/28/19; AMD, 2023 MAR p. 480, Eff. 5/27/23.