

WELFARE FRAUD: AN ONGOING PROBLEM IN AMERICA

A handwritten signature in cursive script, appearing to read "Patricia Humley". The signature is written in dark ink on a light-colored, slightly textured background.

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AN ONGOING PROBLEM IN AMERICA

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Nicole J. Derler

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ABSTRACT

This paper examines the ongoing problem of welfare fraud that occurs across the United States. Welfare fraud is something that occurs through all the fifty states, and it can occur in a variety of ways. Each state has a different way in which they track and detect fraud in public assistance program. Depending on the way in which a state is governed, the penalty for committing fraud can vary. In some states benefit recipients may become ineligible for programs, or the state may go as far as filing criminal charges against an individual.

Preventative measures are being put into place all across the country to try to be as diligent as possible on this issue, but those methods can't always be 100% effective. As long as benefit recipients fail to report important changes to their agency, falsify the number of people living in a household, or withhold information regarding income or employment, states will continue to issue benefit overpayments with the possibility of those benefits not being recouped.

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CHAPTER ONE

Introduction

Welfare fraud is a growing problem in America. As the state of the economy has deteriorated and unemployment rates have risen, many people have turned to public assistance programs for support. In 2011, 34.2 % of American families were on welfare. This means that approximately 39.9 million homes received monthly welfare benefits (Bliss, 2011). The longer people remain on public assistance programs, the more they depend on that assistance as a means to support their family, and survive. As this dependency grows, and people become comfortable with the entitlement of these benefits, the fear of losing this assistance becomes threatening to people. As a result, this can lead to people doing whatever they can to keep this assistance coming into their home, including not reporting required changes and lying on documents. These actions are considered fraud and it is a growing problem in today's society.

Purpose of the Study

The purpose of the study is to provide a review of the literature related to the Human Service profession to inform and improve practice in the area of welfare that is to prevent welfare fraud and abuse.

Significance of the Study

The study of welfare fraud is important to the practice of effective case management in public assistance programs. This work will make an impact on workers in the Human Service field and should be of importance to others seeking information related to best practices.

Statement of the Problem

What are the most effective methods that have been put into place to prevent welfare fraud?

Definition of Terms

Welfare: a government program for poor or unemployed people that helps pay for their food, housing, medical costs, etc. (n.d.). Retrieved June 21, 2014, from <http://www.merriam-webster.com/dictionary/welfare>

Fraud: intentional perversion of truth in order to induce another to part with something of value or to surrender a legal right (n.d.). Retrieved June 21, 2014, from <http://www.merriam-webster.com/dictionary/fraud>

Delimitations of Research

The research for this paper was collected over a period of 75 days. The search engines that were used to conduct this research and gain information on this topic were EbscoHost using a variety of search engines, JSTOR, Google, Google Scholar, Minds @ UW, and UW System. The key terms that were used to search for this research are: welfare, fraud, welfare abuse, welfare reform, Foodshare, and TANF.

CHAPTER TWO

REVIEW OF LITERATURE

A Picture of the Extent of the Problem

For decades, individuals have relied on public assistance programs commonly known as welfare, to assist with supporting themselves and their families. According to the Department of Health and Human Services, as of July 2014, there are over 3 million people in the United States that are receiving money from TANF (Temporary Assistance for Needy Families), a government funded cash assistance program. Over 46 million people 18 and older in the United States are receiving food stamps (U.S. Department of Agriculture, 2014).

Typically, when people apply for a welfare program, it is because they are in a desperate situation, and they are in need of a way to continue to support their family. For some individuals these government programs are the only source of income they have coming in to the household. The threat of these benefits either being reduced or taken away completely because of income coming into the household, or an individual moving in or out of the household, is not something that most welfare recipients are prepared to deal with. A sense of dependency has developed, and taking away something they depend on can be fear inducing. That is when fraud can come into play. Welfare fraud, or welfare abuse takes place when an individual knowingly provides false information to obtain funds from a government assistance program. One way in which such fraud can take place, and a way in which an individual can prevent their benefits from being reduced or canceled, is by failing to report required changes to the welfare agency.

Although most government benefits are federally funded, it is up to individual states to administer these benefits to eligible recipients. When states are issuing benefits in error based on

false information or failure to report changes, it can have a financial impact on the individual state. It is well known that the largest single sources of welfare overpayments are due to underreporting and nonreporting (Wolf & Greenberg, 1986). This is often done with the intent to fraud the welfare system. In 2012, New York City completed more than 20,000 fraud investigations that led to recovering more than \$60 million in welfare funds (Jones, n.d).

In 2012, the Special Investigations unit of the New Hampshire Department of Health and Human Services conducted over 2,000 investigations based on allegations of welfare fraud (Jones, n.d). These investigations led to 63 convictions, 119 people who were no longer eligible to receive food stamps, and 48 individuals who were disqualified from the TANF program (Jones, n.d). In June of 2013 the state of Wisconsin investigated 259 fraud claims and established that it had been making over four million dollars in overpayments (Jones n.d). These investigations were only done in instances where the fraud was reported or caught in some way. There are many instances where it is unreported, and individuals continue to collect benefits that they are not entitled to. States cannot continue to administer benefits to people who are not eligible for them.

The issue of fraud continues to rise as technology continues to advance. States have shifted from requiring people to apply in person and on paper, to online applications. Paper checks no longer need to be issued to recipients. Recipients can even receive payments electronically through a prepaid debit account, which does not even have to be in the recipient's name (Stealing from the government, 2013). This can lead to individuals applying for benefits for other people without their knowledge and reporting information that is inaccurate and untruthful.

Examples of Welfare Abuse

Welfare fraud can occur in a variety of programs. Two of the most common programs where fraud is committed are the food stamp program and the Temporary Assistance for Needy Families (TANF) program. A common problem that is very hard to track is the selling of food stamps for cash. This is known as trafficking (USDA, 2013). The food stamp program allows low-income families a monetary amount, based on family size and income. A dollar amount is loaded onto a card every month to assist the family with the purchase of groceries. No cash can be withdrawn off the card or returned to the customer in any way. When a food stamp card is issued, a recipient typically must set up a personal identification number (PIN), and the card is used just like a debit card. The problem with these cards is that a person could tell another individual their PIN, and that individual could go to the store and use the food stamp card as if it is their own. This has led to the problem of recipients not only allowing other people to use their cards, but also selling their food stamp dollars for cash. If for example, an individual receives \$400.00 per month in food stamps, he or she may only use \$300.00 of that for their family. The other \$100.00 could then be sold to someone for \$50.00. The recipient has made \$50.00 in cash, and the person who bought the food stamps can now purchase \$100.00 worth of groceries, and only had to pay \$50.00 for them. This is illegal on the part of both parties and is considered theft.

Another example of food stamp fraud is if a recipient becomes incarcerated for longer than 30 days and it is not reported to the welfare agency. The food stamp card will continue to have money loaded onto it on a monthly basis. If a family member, or other individual who

knows the PIN, continues to spend food stamps of the incarcerated person, and they are not part of the recipient's case and included in the food stamp group, it is considered fraud. The card is intended to be used only by the persons whose name is on the card or other members of the family who are included in the food stamp group for that particular case. If the food stamps continue to be spent while the individual is incarcerated, the welfare agency will require the cardholder to pay back the money that was spent.

The United States Department of Agriculture (USDA) has put its best efforts forward toward investigating and preventing fraud of this type. Over the past decade they have made major strides to improve the accuracy of the food share eligibility determination and benefit payment systems. In 2011, states completed almost 798,000 fraud investigations, which resulted in over 46,000 disqualified individuals and the collection of \$72 million in fraud claims (USDA, 2013). In August 2012 a rule was passed that requires states to cross check against the Social Security Master Death File and Social Security's Prisoner Verification System before food share benefits are issued, to make sure that no ineligible individuals are receiving benefits (USDA, 2013).

In order for someone to be eligible and receive a cash payment from a federally funded TANF program, they must meet both financial and non-financial eligibility requirements. One of the main non-financial eligibility requirements is that a person must be an adult custodial parent with a minor child in the household (Wisconsin Works Manual, 2016). The TANF program in Wisconsin is called Wisconsin Works, or W-2. When a person is receiving money from a TANF program, it is part of the financial requirements that the recipient reports everyone in the household, because financial eligibility is determined by both a gross income and asset test (Wisconsin Works Manual, 2016). If a single parent with a minor child applies for a TANF

program, and reports that the other parent is living outside of the household, but is fact living with the family, it is considered fraud and could result in an Intentional Program Violation (IPV) if the information can be proven to be fraudulent by the agency. An IPV means that an individual intentionally made a false or misleading statement, intentionally misrepresented or withheld facts, or intentionally committed an act that constitutes a violation of state or federal law, for the purpose of using, maintaining, receiving, or trafficking TANF payments or services (Wisconsin Works Manual, 2016). Some examples of an IPV include failing to report employment, failing to report household composition change, concealing or intentionally not reporting unearned income or assets, and submitting documentation that has been forged or tampered with (Wisconsin Works Manual, 2016). If both parents are in the household, and one of them is working, based on wages and hours, the household could become ineligible for cash assistance since there is income coming into the household from unsubsidized employment. The threat of being ineligible for benefit programs may be a reason why the recipient might not report the second parent as being in the household. If an unreported parent is working full time and the other parent is receiving a TANF check every month, the income coming into the household is guaranteed to be higher than it would be with just the father's income.

If both parents are in the household and neither one of them has any type of employment or income coming into the household, the TANF case becomes a two-parent case. This would require both parents to participate in TANF related program activities, such as attending workshops and searching for employment (Wisconsin Works Manual, 2016). It is the philosophy of the program for both parents to be responsible and care for and support their children. This can be done by assisting both parents to find and maintain employment. However, if just the one parent is reported as being in the household and on is on the case, then

only one parent will have to participate in the program and can complete the activities solo. That parent will be eligible to receive childcare assistance and take the children to childcare in order to complete assigned activities. The unreported parent is not participating in work related activities, while the household is receiving a monthly cash payment.

A highly profiled case of welfare fraud involves Nadya Suleman, otherwise known as “Octomom.” Nadya gained fame after she gave birth to octuplets via in vitro fertilization in January, 2009 (Rogers, 2014). She already had six children at the time, bringing the total to fourteen children. Nadya struggled to support the children and resorted to earning money by dancing in a strip club, and posing topless for different publications. In 2014 she was charged with welfare fraud after she failed to report over \$30,000 in earnings to the state of California (Rogers, 2014). She was accused of filing for public assistance, without mentioning she was getting checks for personal appearances and was paid for videos she had made. Nadya collected more than \$26,000 in benefits from the state when she was not entitled to them (Rogers, 2014). She was charged with four counts of fraud, and was sentenced to 200 hours of community service and two years of probation (Rogers, 2014). She was also ordered to pay a small fine.

Preventative Measures

Welfare fraud is a very common problem, and it can take place in a variety of forms. In one form for instance, the recipient is working a legitimate job but fails to report all of the income to the welfare office. The second is when a recipient is working a side job and receiving cash under the table as pay and not reporting it to both the welfare office and tax authorities. A third type of welfare fraud occurs when a recipient fails to report that there is another person living in the house who is earning a wage. These are the most common types of fraud that occur. There are other fraudulent activities that could occur such as parent receiving assistance for a

child who is no longer living in the household. Regardless of the type of fraud being conducted, if it is caught there is usually a fraud investigation to go along with it.

Typically, a fraud investigation is triggered in one of three ways: 1.) The data exchange system based on a person's social security number is identifying inconsistent information. 2.) The caseworker suspects that there is a problem with the case and fraud is occurring. 3.) An anonymous call to the welfare office provides a tip that the recipient is committing fraud. These anonymous tips are sometimes left by the second parent of a child, or another family member.

To prevent welfare fraud, workers in public assistance agencies collect extensive information about welfare recipients and their families. There is extensive paperwork collected at the time of the initial application, and then it is collected again for their annual review. Recipients are also required to submit forms describing any changes in their income or household situation within so many days.

Each state investigates fraud in its own way. Depending on how the state legislature is established, the agency assigned by the state to investigate fraud, may oversee an entire state, a county, or a city. Wisconsin, for example has the Department of Health Services investigate fraud claims. In June 2013, the office received a total of 259 complaints of fraud for that month, and had established that the state was making almost \$4 million in overpayments (Jones, n.d). In 2012, the New Hampshire Department of Health and Human Services conducted over 2,000 investigations based on allegations of welfare fraud. These investigations secured 63 convictions, removed 119 people from the food stamp program, and disqualified 48 individuals from the TANF program (Jones, 2014).

City officials in Bangor, Maine believe they have been keeping on top of the issue of welfare fraud. In 2012, the city of Bangor administered assistance to 1,608 individuals who

received about \$2.8 million in assistance (McCrea, 2013). This assistance was mostly for housing. That year, 192 of those individuals were expelled for 120 days after finding they violated program rules, and about five of them went on to face criminal charges (McCrea, 2013). The city of Bangor has taken preventative measures to crack down on the issue. Caseworkers are following up with employers to determine if a client is applying for work when they say they are. If an employer verifies they never actually applied, the caseworker will determine they are ineligible for benefits. There are a number of other violations that can make a person ineligible for benefits including lying on paperwork, failing to report additional people living in the household, and failing to report sources of income or expenses. Bangor drops people from their payroll on a weekly basis after finding out they are no longer eligible for assistance, or if they have lied to the city about aspects of their lives or finances that will determine eligibility (McCrea, 2013).

In 2013, Illinois had more than two million people, 16 % of their population, enrolled in the foodstamp program (Young, 2013). Ted Dabrowski, Vice President of Policy for the Illinois Policy Institute, stated that, “The more people you add and the bigger the program gets, the more cumbersome it gets. The more difficult to manage, and you have money being given away that shouldn’t be given away (Young, 2013, p. 1).

In Cook County, Illinois there is a Fraud Prevention Investigations (FPI) program that reviews applications with suspicious information. This program is administered through many different Illinois Department of Human Services offices, and their main goal is to prevent ineligible people from receiving welfare benefits, and saving tax dollars. In 2015, through thousands of investigations, audits, and reviews, their efforts resulted in over \$204 million dollars in savings, recoupment, and avoidance (Annual & Aggregate Billing Reports, 2016).

Corrective Action

In the 1990's, federal welfare reform legislation required states to implement measures to control welfare fraud (Gustafson, 2009). These measures included welfare fraud investigations and criminal prosecutions. Although each state has applied its own method to address the problem, overall there is a clear trend towards toughness on welfare recipients who tend to break the regulations or fail to comply with welfare rules.

After the welfare reform, many states were getting strict about welfare fraud, and one of the toughest states to crack down on this problem is California. Because of the size of the state, fraud is extremely high in California. They have become one of the most aggressive states in investigating and prosecuting those who commit welfare fraud. They have also become known for welcoming law enforcement into the welfare system, and allowing law enforcement to take corrective action as necessary.

When a person applies for public assistance in California he or she is reminded of the rules of the system, and informed of the possibility of being criminally charged if fraud is determined on the case. The welfare grant that a female receives from the state of California is reduced or terminated if the state finds out that a boyfriend has moved in and it was not reported, if she fails to vaccinate her children, or if she has been convicted of a drug charge. The state of California also runs her social security number against state and national criminal records to make sure she should not be incarcerated, and her financial information is matched against various employment databases and IRS records. Her personal information can be accessed by law enforcement at any time, and she is also photographed and fingerprinted. All of this has

been completed before the female even receives a single welfare check. After California implemented their pre-eligibility fraud investigation units, six other states joined them, and constructed programs similar for individuals applying for cash assistance.

The welfare reform also changed cash assistance programs from entitlement programs to voluntary programs. Because they were no longer considered entitlement programs for individuals, consequences for not completing requirements of the programs, known as sanctions, were implemented. An individual could be sanctioned for reasons such as not fulfilling the number of work hours required, or missing a scheduled appointment at their welfare office. The manner in which sanctions are applied to individual cases varies from state to state. Thirty-six states have implemented what is called, “full family sanctions,” which means that if a parent fails to meet his or her work requirements, cash assistance to the entire family is cut off. Wisconsin determines their sanctions based on the number of hours of activity that were missed by a welfare recipient. Sanctions are a regular occurrence with cash assistance recipients. Not only does sanctioning show the recipient that there will be consequences for non-participation, it is also a way for the states to save money, by not having to issue full payments to individuals.

The cash benefits available in any state are not enough income to support a family. The gap between what they receive in cash assistance and what it takes to support their family, usually leads to welfare recipients finding income from another source, and hiding that income from their local welfare office. Hiding that income from the welfare office can be deemed fraud. If a recipient is receiving benefits and not reporting income, it could result in an overpayment of benefits. It is widely known that the largest source of overpayments is because of underreporting or complete non-reporting of income the recipient is receiving (Wolf & Greenberg, 1986). If recipients fail to report income, their welfare check will not be reduced, and they will receive a

larger payment than they are legally entitled to. Although difficult sometimes, it is the job of the welfare office to reclaim payments that were given to the recipient in error. Federal regulations require agencies to send out a notice within 45 days of being aware of the overpayment.

Overpayments can be recouped by reducing future benefits until the overpayment is paid back, or by pursuing cash repayments. If a cash repayment is not being made, an agency can put the recipient into collections, and possibly garnish wages of future employment.

Failing to report any and all sources of income to the welfare office can result in criminal charges of welfare fraud as well. There are states that investigate more than others and also states that prosecute at a higher rate than others. States continuously balance the need to take care of their neediest citizens with the need to deter adults from defrauding the state.

CHAPTER THREE

CONCLUSIONS AND RECOMMENDATIONS

Summary

Welfare fraud is an ongoing problem in America, and it can cost states a lot of money. Overpayments are being made to recipients who actually are not eligible to receive the benefits they are getting. States are doing what they can to put preventative measures into place to prevent fraud, but nothing they do can stop fraud 100%. As long as recipients fail to report required financial and non-financial information to their local agencies, then the risk of fraud resulting in overpayments will always present itself.

People who are recipients of public assistance programs depend on these benefits to assist in supporting their family. In a lot of cases, they will do whatever it takes in order to keep these benefits coming into the household, even if that means lying and failing to report information to their local agency. Unfortunately, fraud occurs with almost every public assistance program available. Typically, the Foodshare program has very high levels of fraud. When applicants and recipients fail to report income, or the number of people in the household, they potentially could be receiving more benefits than they are entitled to. A more recent problem within the Foodshare program is recipients selling their Foodshare to friends or family members for cash, giving them access to their personal pin and allowing them to use their card at stores.

Different states have different penalties for acts of fraud. Some states will take it as far as filing criminal charges against the recipient, and others will make the individual ineligible to receive benefits for a certain amount of time. Fraud in public assistance programs is something that is always going to occur. Local agencies are working with state legislators to put as many preventative measures into place to try to limit the amount that occurs.

The existing literature on welfare fraud leads to the following conclusions. First and foremost, there is no right way to prevent fraud. What works for one state might not work for another. After the welfare reform in the 1990's the federal government handed over the authority to individual states to monitor and take corrective action against welfare fraud. Each state has its own way to investigate fraud. Some states have one department or agency investigate fraud cases and complaints for the whole state and some states break it up into city or county jurisdictions.

Secondly, fraud occurs amongst any race, class, or gender. There is a lot of research and stories about people who were living in million dollar homes collecting food stamps, and other public assistance benefits. The case involving Nadya Suleman, also known as Octomom, was a very highly profiled case. She failed to report a large amount of income she made from television appearances and interviews. The Suleman case illustrates just how dependent people become on these programs, that even people who are well known to the public will go as far as committing fraud.

Based on these conclusions, the following recommendations should be put into place in order to prevent further welfare fraud. The first recommendation is to put recipients' photos on the foodstamp cards. This will prevent recipients from selling their Foodshare benefits and allowing other people to use their card. Cashiers at stores that accept Foodshare could simply look at the picture on the card and make sure it matches the person trying to use the card.

If states are concerned that issuing cards with photos on them would cost too much money, then they could make it mandatory that a photo identification such as a driver's license or state issued ID, would have to be presented in order to use a Foodshare card. This would allow cashiers to match up the name on the identification to the name on the Foodshare card and

ensure that no fraud is being committed. This will also force people to make sure they have obtained some sort of government issued identification.

Some of the larger states that have a higher state budget could move toward a fingerprinting system. This system could be used for Foodshare, and for programs that allow cash benefits to be loaded onto a pre-paid debit card such as child support and TANF. This will allow the recipient to pay with their fingerprint, eliminating the use of a card altogether. The device at the stores will scan the person's fingerprint, making sure it matches the print that is on file with the agency. This would be a very secure way to make sure that benefits are only being spent by the person who is entitled to them.

The last recommendation would be that random home visits be conducted by welfare workers if they have suspicion that fraud is occurring. If a worker believes a recipient has not reported that the other parent is in the household, or that a child has moved out of the household, a random home visit could be conducted in order to determine who is and is not living in the home. Participants would have to be informed when they apply for the program that a random home inspection could be conducted at any time, if it is determined by the agency that a form of fraud is being committed.

It should be noted that these recommendations would cost the states some money to put into place, but the end results could potentially save money. Thousands of fraud cases are investigated throughout the country every month, and by making these program a little stricter, and putting extra preventative measures into place to limit fraud, those numbers could decrease significantly.

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