
FOOD AND NUTRITION SERVICES MANUAL
GENERAL PROCEDURES & REQUIREMENTS
FNS 145 CLAIMS

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Change #1-2021
May 1, 2021

145.01 CLAIMS AGAINST HOUSEHOLDS

Handle cases where a participating household received an overissuance of benefits in accordance with Section 800, Claims. Any intentional misrepresentation on the part of the household may subject the individual to prosecution.

Applicable provisions of the General Statutes of North Carolina are repeated below.

108A-53. “(a) Any person whether provider or recipient or person representing himself as such, who knowingly obtains or attempts to obtain, or aids or abets any person to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which that person is not entitled in the amount of four hundred dollars (\$400.00) or less shall be guilty of a Class 1 misdemeanor. Whoever knowingly obtains or attempts to obtain by means of making a willfully false statement or representation or by impersonation or by failing to disclose material facts or in any manner not authorized by this part or the regulations issued pursuant thereto, transfers with intent to defraud any food stamps or authorization cards to which he is not entitled in an amount more than four hundred dollars (\$400.00) shall be guilty of a Class I felony.

(b) Whoever presents or causes to be presented food stamps or authorization cards for payment or redemption, knowing the same to have been received, transferred, or used in any manner in violation of the provisions of this part or the regulations issued pursuant to this part shall be guilty of a Class 1 misdemeanor.

(c) Whoever receives any food stamps for any consumable item knowing that such food stamps were procured fraudulently under subsections (a) and or (b) of this section shall be guilty of a Class 1 misdemeanor.

(d)Whoever receives any food stamps for any consumable item whose exchange is prohibited by the United States Department of Agriculture shall be guilty of a Class 1 misdemeanor.”