

## **Attachment to Unemployment Insurance Program Letter (UIPL) 5-13, Change 1**

### **Benefit Accuracy Measurement (BAM) Coding of Work Search Overpayments**

States that have made the required changes to their laws, regulations, administrative rules, or operational procedures will also need to ensure changes are made to the coding of their BAM cases based on the guidance in this Unemployment Insurance Program Letter. Once the changes are implemented, states will no longer code BAM cases as code “14.” Code 14 is defined as “BAM determines payment was too large except for formal warning rule that prohibits official action. The payment is “technically” proper due to law/rules requiring formal warnings for unacceptable work search efforts.”

The following codes may be used when coding elements “ei2”; codes 10, 11, 12, 13, 15, and 16. However, codes 12, 13, 15, and 16 will only be used in limited circumstances. For instance:

- Code 12 will only be used when the state waives the recovery of an established work search overpayment. A copy of the overpayment recover waiver must be in the case file.
- Code 13 will only be used when the state no longer has authority to adjudicate an issue detected with a UC payment (e.g., the payment was made three years ago and state law authorizes adjudication of issues only up to one year after the benefit year expires or a prior determination has been issued and an appeal was not filed within the state’s time limits).
- Code 15 may only be used if it is determined that the claimant does not share responsibility for the work search error (ei4 Error Responsibility cannot contain 1).
- Code 16 will only be used when there is a valid appeal reversal decision in the case file reversing a BAM program work search ineligibility determination.

The Department expects the majority of the work search ineligibility determinations (claimants fail to meet the work search requirements) will result in non-fraud overpayments; code 11.