



# Overpayments & Offsets

## FREQUENTLY ASKED QUESTIONS REGARDING OVERPAYMENTS AND OFFSETS

### Q1. What is an overpayment, and what causes an overpayment?

- A. An overpayment occurs when a claimant of Paid Family Leave (PFL) benefits is paid more than they are entitled to receive. The reason overpayments occur is because the Office of Paid Family Leave (OPFL) approves a claim and then subsequently discovers that the claimant is ineligible for the benefits paid based on information that is received after the approval.

### Q2. How will the claimant know if they have an overpayment?

- A. If the claimant has an overpayment, they will receive two (2) letters:
  - Disqualification Determination - which explains the reason for the denial of PFL benefits.
  - Determination of Overpayment - which explains the following:
    - The leave dates the claimant was overpaid;
    - The overpayment amount;
    - The date the overpayment becomes final and subject to collections; and
    - The claimant's right to appeal the determination.

### Q3. What if the claimant disagrees with the overpayment?

- A. If the claimant disagrees with the Determination of Overpayment, they have ten (10) business days to submit an internal administrative appeal through the Paid Family Leave Administration System ([does.pflbas.dc.gov](https://does.pflbas.dc.gov)) or sixty (60) calendar days from the date of the determination to file an appeal with the D.C. Office of Administrative Hearings (OAH). If the claimant files an internal administrative appeal with OPFL and the decision is affirmed, the claimant has sixty (60) calendar days from the date of the decision to file an appeal with OAH.

### Q4. How does the claimant make a repayment?

- A. There are four (4) ways to make a repayment:
  - Check
  - Money Order
  - Direct Deposit (ACH)
  - Overpayment offset (see question 8)

Claimants must include "Repayment of Overpayment" on the memo line of all checks and money orders. All checks and money orders are to be made payable to D.C. Treasurer and sent to:

District of Columbia Office of Paid Family Leave  
Benefit Payment Control Unit  
4058 Minnesota Ave, N.E., Suite 3500  
Washington, D.C. 20019

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#### **Q5. What is the timeline provided for overpaid claimants to make repayments?**

- A. It is important to repay the overpayment as soon as possible. If the claimant owes \$49.00 or less, they are not eligible for a repayment agreement, and they must repay the overpaid amount in full in a lump sum payment.

Claimants whose overpayments exceed \$49.00 can choose to repay the overpayment either by a lump sum payment or in consecutive monthly payments not to exceed twelve (12) months. Once an overpayment exceeding \$49.00 becomes assessed, claimants will receive a PFL Repayment Agreement through their preferred method of communication. The PFL Repayment Agreement states the total amount due, the monthly repayment amount, and the day of the month when the payments are expected to be made. If the claimant wishes to make monthly payments, they must agree to, sign, and return the repayment agreement to OPFL, along with their first monthly repayment. If the claimant prefers to make a lump-sum payment, they may instead send in a check or money order, or make the lump-sum payment through the benefits portal ([does.pflbas.dc.gov](https://does.pflbas.dc.gov)).

#### **Q6. What is the lowest possible amount a claimant can repay monthly?**

- A. Depending on the amount owed, a claimant can pay as little as \$50.00 per month towards the repayment of their overpayment, provided that full repayment is made within twelve (12) months.

#### **Q7. Can a claimant repay the overpayment in full before the overpayment becomes final?**

- A. Claimants may immediately repay the overpayment if they waive their right to appeal. If a claimant wants to repay the overpayment prior to the date the overpayment assessment becomes final, the claimant must contact OPFL's Benefit Payment Control (BPC) unit at (202) 899-3700 to obtain the letter they must sign, which waives their right to appeal the overpayment. Acknowledgment and signature of this form is necessary for the claimant to repay their overpayment in full prior to the assessment date. One reason a claimant may want to waive their right to appeal is to repay the overpayment by offsetting other PFL benefits.

#### **Q8. What is an overpayment offset?**

- A. An overpayment offset takes place when an overpaid claimant has payable leave dates on a current or future claim after the overpayment is established. Any future leave that is payable to the claimant after an overpayment is established will be offset in full and applied to the overpayment balance.

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**Q9. How will the claimant be notified if an overpayment offset occurs?**

- A. If an overpayment offset occurs and is deducted from the claimant's bi-weekly payments, the claimant will receive an Overpayment Offset Notice. This letter will be sent via the claimant's preferred method of communication and will be available to view in the portal under the claim communication. The Overpayment Offset Notice informs the claimant of the total overpayment offset amount and the balance of their overpayment.

**Q10. What if an overpayment offset does not satisfy the entire overpayment amount?**

- A. If the claimant still has an overpayment balance after all overpayment offsets have occurred, it is the claimant's responsibility to repay the remaining balance via check, money order, or ACH payment.

**Q11. What if the claimant does not repay their overpayment?**

- A. The District of Columbia reserves the right to pursue restitution to the fullest extent of the law, including, but not limited to, filing a Complaint with the Superior Court of the District of Columbia or intercepting District income tax refunds to the extent consistent with District or Federal law.

**Q12. Is there a time limit for OPFL to collect an overpayment?**

- A. Pursuant to the laws of the District of Columbia, there is no time limit to collect a debt owed to any District of Columbia department or agency. If a Complaint is filed against the claimant to collect an overpayment, the claimant should respond, either personally or through an attorney, by the date specified in the court papers. Otherwise, a judgment will be entered against the claimant.

**Q13. Will OPFL accept less than the full amount of the overpayment?**

- A. No, OPFL will not accept repayment that is less than overpayment amount.  
If the claimant believes that the amount of the overpayment is incorrect, the claimant should file an internal administrative appeal immediately. If the claimant files an internal administrative appeal and the decision by the OPFL is affirmed, the amount of the overpayment is now fixed, and it will not be decreased.