

SUGGESTED PROTOCOL FOR DISQUALIFICATION CONSENT INTERVIEWS (2023)

All staff shall use the following protocol, once the District Attorney's office has issued its determination letter offering deferred adjudication and civil resolution of the matter.

- 1) Evidence Packet: Documentation sufficient to support the finding of an Intentional Program Violation shall be provided to the District Attorney's office for mailing to the accused individual with the advance notice provided by the District Attorney in conformity with regulations.
- 2) The investigator will contact the individual, if the individual has not called to schedule an interview within a reasonable time following mailing of the advance notification from the District Attorney's Office.
- 3) An interview, if desired by the individual, will be scheduled no earlier than 13 days from the date of mailing, or no sooner than 10 days from receipt of the packet, as confirmed by the Applicant/Recipient.
- 4) No individual will be asked to waive their right to the 10 days' Notice of Consequences prior to signing the DCA.
- 5) At the interview, the attached INTERVIEW ACKNOWLEDGEMENT FORM will be discussed and reviewed with the individual. If the interview is conducted by telephone, the fraud investigator may record the call, and use the form provided. At the conclusion of the in-person or telephone interview, the fraud investigator will deliver a copy of the completed form to the individual.
- 6) If the Office receives a signed DCA, dated at least 10 days after the date of the District Attorney's advance notification, this Office will send a copy of the Interview Acknowledgement Form by certified mail, return receipt requested, to the last known address, along with a cover letter acknowledging receipt of the signed DCA, but notifying them that we wanted to ensure they understood their rights, and to please contact the Office to go over the attached form. Included in that mailing will be a Self Addressed Stamped Envelope for return of the completed Form to the Office.
- 7) If the individual chooses to present a statement or evidence in support of finding that the allegation was caused by error rather than fraud, the form will be noted, and the investigator will review the information prior to accepting the DCA and imposing the disqualification status.
- 8) No staff member will threaten or imply any consequence beyond the wording incorporated on the attached INTERVIEW ACKNOWLEDGEMENT FORM, and any information or communication which is found to reasonably represent any kind of impermissible threat or coercion will subject the employee to disciplinary action.

READ, UNDERSTOOD AND ACKNOWLEDGED:

Employee Name: _____ Date: _____ [DCA Interview Protocol 8/3/23]