**Section 165.106 Effect of Return to Active Assistance Status**

If a debtor, while still owing an overpayment balance due to the Department, returns to active status as a financial assistance recipient or food stamp beneficiary, the Department shall immediately cease any action under Section 165.104 to collect that portion of the overpayment that is related to the type of assistance being received and shall initiate collection actions under Subpart B or C, as the case may be, of this Part. The Department shall not take further action under Section 165.104 until such time as the person is no longer receiving that type of assistance, except for households receiving food stamp benefits. The Department may refer food stamp debts to the Comptroller as per Section 165.104(c) to withhold irregular or unexpected state payments, such as, but not limited to, income tax refunds or lottery winnings.

(Source: Amended at 26 Ill. Reg. 400, effective January 1, 2002)