

THE SECRETARY MAY RECOVER BENEFITS PAID TO A CLAIMANT IF THE SECRETARY FINDS THAT THE CLAIMANT WAS NOT ENTITLED TO THE BENEFITS BECAUSE:

- (1) THE CLAIMANT WAS NOT UNEMPLOYED;
- (2) THE CLAIMANT RECEIVED OR RETROACTIVELY WAS AWARDED WAGES; OR
- (3) DUE TO A REDETERMINATION OF AN ORIGINAL CLAIM BY THE SECRETARY, THE CLAIMANT IS DISQUALIFIED OR OTHERWISE INELIGIBLE FOR BENEFITS.

(B) FALSE STATEMENTS OR REPRESENTATION OR FAILURE TO DISCLOSE MATERIAL FACT.

IF THE SECRETARY FINDS THAT A CLAIMANT KNOWINGLY MADE A FALSE STATEMENT OR REPRESENTATION OR KNOWINGLY FAILED TO DISCLOSE A MATERIAL FACT TO OBTAIN OR INCREASE A BENEFIT OR OTHER PAYMENT UNDER THIS TITLE, IN ADDITION TO DISQUALIFICATION OF THE CLAIMANT, THE SECRETARY MAY RECOVER FROM THE CLAIMANT:

- (1) ALL BENEFITS PAID TO THE CLAIMANT FOR EACH WEEK FOR WHICH THE FALSE STATEMENT OR REPRESENTATION WAS MADE OR FOR WHICH THE CLAIMANT FAILED TO DISCLOSE A MATERIAL FACT; AND
- (2) INTEREST OF 1.5% PER MONTH ON THE AMOUNT ACCRUING FROM THE DATE THAT THE CLAIMANT IS NOTIFIED BY THE SECRETARY THAT THE CLAIMANT WAS NOT ENTITLED TO BENEFITS RECEIVED.

(C) NOTICE.

IF THE SECRETARY DECIDES TO RECOVER BENEFITS FROM A CLAIMANT UNDER SUBSECTION (A) OR (B) OF THIS SECTION, THE SECRETARY SHALL NOTIFY THE CLAIMANT OF:

- (1) THE AMOUNT TO BE RECOVERED;
- (2) THE WEEKS FOR WHICH BENEFITS WERE PAID; AND
- (3) THE PROVISION OF THIS TITLE UNDER WHICH THE SECRETARY DETERMINED THAT THE CLAIMANT WAS INELIGIBLE FOR BENEFITS.

(D) MANNER OF RECOVERY.

THE SECRETARY MAY RECOVER AN AMOUNT UNDER SUBSECTION (A) OR (B) OF THIS SECTION:

- (1) BY DEDUCTION FROM BENEFITS PAYABLE TO THE CLAIMANT IN THE FUTURE; OR