



HUMAN SERVICES  
DEPARTMENT

Susana Martinez, Governor  
Brent Earnest, Secretary  
Mary Brogdon, Director

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## Manual Revision Memorandum

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**ISD-MR 17-26**

**TO:** ISD Employees  
**FROM:** Mary Brogdon, Director, Income Support Division  
**DATE:** October 20, 2017  
**RE:** Update to ASD 013 – Notice of Collection revised 9/30/17

The ASD 013 – Notice of Collection has been updated in ASPEN to incorporate federal and state compliant language. This is a notice to the client to inform them about the past due benefit overpayment they owe to the agency. This notice is only available as central print.

**Instruction:**

New- ASD 013 – Notice of Collection revised 9/30/17

If you have questions regarding this MR, please contact Gavino Archuleta at (505) 827-7244 or by e-mail at [Gavino.Archuleta@state.nm.us](mailto:Gavino.Archuleta@state.nm.us).

Attachment: ASD 013 – Notice of Collection revised 9/30/17



**Human Services Department**

Restitution Services Bureau

P.O. Box 234

Santa Fe, NM 87504

Phone Number: (800) 431-4593

Fax Number: (800) 827-8103



Individual ID: 0123456789

Date: January 1<sup>st</sup>, 2015

Revision Date: ASD 013 September 30<sup>th</sup>, 2017

Tom Smith  
1600 Pennsylvania Avenue  
Santa Fe, NM 87505

**Notice of Collection from Your State Tax Refund**

Dear Tom Smith,

This letter is to tell you of an action the Human Services Department (HSD) is taking to get back benefits you got but were not eligible for. This is called an "overpayment." On (DATE), a court told you to pay \$ \_\_\_\_\_ to HSD for overpaid benefits. Our records show that you owe \$ \_\_\_\_\_ now. HSD has told the New Mexico Taxation and Revenue Department (TRD) about your debt. To get back the benefit overpayment you owe, TRD will take it out of your New Mexico state tax refund.

**How much was taken from my tax return?**

A total of \$ \_\_\_\_\_ was taken from your refund to pay back some or all of this debt. To avoid further collection action, please contact us to arrange to pay back the rest of the overpayment.

**What if I am married and file a joint tax return?**

If you are married and filed a joint tax return, your spouse may be able to get their share of the state tax refund. However, this is only if the overpayment debt was from before you were married. Your spouse must contact us by 30 days + Notice generation Date to ask for their share of the tax return. If your spouse does not contact us by 30 days + Notice generation Date, the amount listed above will go towards the benefit overpayment you owe.

**What if I disagree with the action that HSD has taken?**

You have the right to appeal this action to collect from your tax refund. Your appeal must be in writing and must get to the address above by 30 days + Notice generation Date. If you do not appeal in writing by 30 days + Notice generation Date, you will give up your right to appeal this collection action.

**If you have questions or wish to arrange to pay back the balance, please call (800) 431-4593.**

The last page of this notice explains your civil rights and your right to a fair hearing. Please read it with care.

