**South Carolina General Assembly**

120th Session, 2013-2014

**H. 3431**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. R.L. Brown and Whipper

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Introduced in the House on January 24, 2013

Currently residing in the House Committee on **Medical, Military, Public and Municipal Affairs**

Summary: Medicaid Abuse and Fraud

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/24/2013 House Introduced and read first time ([House Journal‑page 32](file:///h:\HJ%20Archive\2013\01-24-13.docx))

1/24/2013 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 32](file:///h:\HJ%20Archive\2013\01-24-13.docx))

**VERSIONS OF THIS BILL**

[1/24/2013](file:///p:\pprever\2013-14\3431_20130124.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 1‑7‑180, 43‑1‑730, AND 44‑6‑230 SO AS TO PROVIDE THAT IN CASES OF MEDICAID ABUSE OR MEDICAID FRAUD REPORTED ON THE MEDICAID ABUSE OR FRAUD REPORTING HOTLINES, RESPECTIVELY, ADMINISTERED BY THE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE OFFICE OF THE ATTORNEY GENERAL, AND FOOD STAMP OR TEMPORARY AID TO NEEDY FAMILIES (TANF) ABUSE OR FRAUD REPORTED TO THE FINANCIAL FRAUD OR ABUSE HOTLINE OPERATED BY THE DEPARTMENT OF SOCIAL SERVICES, WHEN THE CALL RESULTS IN THE RECOVERY OF STATE SOURCE FUNDS AS A RESULT OF THE REPORT, THOSE AGENCIES SHALL ISSUE A MONETARY REWARD TO THE PERSON REPORTING IN AN AMOUNT EQUAL TO TEN PERCENT OF STATE FUNDS RECEIVED, NOT TO EXCEED TEN THOUSAND DOLLARS IN TOTAL WITH RESPECT TO THE REPORT.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Article 1, Chapter 7, Title 1 of the 1976 Code is amended by adding:

“Section 1‑7‑180. If a report to the Medicaid Fraud Hotline administered by the Office of the Attorney General results in the recovery of state‑source Medicaid funds in the pursuit of the reported fraud, and that recovery would not have occurred but for the report, then the Attorney General shall award an amount equal to ten percent of any state‑source Medicaid funds recovered by his office, not exceeding ten thousand dollars, to the person making the report. Determining who is eligible to receive an award and the funds to which the award applies is within the sole discretion of the Attorney General based on the accuracy of the information provided and to the extent to which it resulted in the recovery.”

SECTION 2. Chapter 1, Title 43 of the 1976 Code is amended by adding:

“Section 43‑1‑730. If a report to the financial fraud and abuse hotline administered by the Department of Social Services results in the recovery of state‑source food stamp funds or Temporary Aid to Needy Families (TANF) funds in the pursuit of that reported fraud or abuse and that recovery would not have occurred but for the report, then the Director of the Department of Social Services shall award an amount equal to ten percent of any state‑source food stamp or TANF funds recovered by his department, not exceeding ten thousand dollars, to the person making the report. Determining who is eligible to receive an award and the funds to which the award applies is within the sole discretion of the director based on the accuracy of the information provided and the extent to which it resulted in the recovery.”

SECTION 3. Article 2, Chapter 6, Title 44 of the 1976 Code is amended by adding:

“Section 44‑6‑230. If a report to the Medicaid Financial Abuse Hotline administered by the Department of Health and Human Services results in the recovery of any state‑source Medicaid funds in the pursuit of that reported abuse, and that recovery would not have occurred but for the report, then the Director of the Department of Health and Human Services shall award an amount equal to ten percent of the state‑source Medicaid funds recovered by his department, not exceeding ten thousand dollars, to the person making the report. Determining who is eligible to receive an award and the funds to which the award applies is within the sole discretion of the director based on the accuracy of the information provided and the extent to which it resulted in the recovery.”

SECTION 4. This act takes effect upon approval by the Governor and applies to fraud or abuse reported on and after that date.

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