

BILL ANALYSIS

Senate Research Center
85R30336 LED-D

C.S.H.B. 2523
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Health & Human Services
5/19/2017
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Office of Inspector General, located within the Health and Human Services Commission, has authority to commission five peace officers to investigate fraud, waste, and abuse in the Medicaid program. These officers aid in the recovery of state and federal funds, and assist in prosecuting offenders. Interested parties note that allowing these peace officers to investigate fraud, waste, and abuse in the Supplemental Nutrition Assistance Program (SNAP) and the Temporary Nutrition Assistance Program (TANF).

H.B. 2523 allows peace officers commissioned by the Office of Inspector General to investigate fraud, waste, and abuse in Medicaid to also investigate fraud, waste, and abuse in the SNAP and TANF programs. (Original Author's / Sponsor's Statement of Intent)

C.S.H.B. 2523 amends current law relating to the investigation of fraud, waste, and abuse in certain public benefits programs by the office of inspector general for the Health and Human Services Commission.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 531.102(t), Government Code, to require the inspector general, at each quarterly meeting of any advisory council responsible for advising the executive commissioner of the Health and Human Services Commission (executive commissioner; HHSC) on the operation of HHSC, to submit a report to the executive commissioner, the governor, and the legislature on the amount of money recovered during the preceding quarter as a result of investigations involving peace officers employed and commissioned by HHSC's office of inspector general (HHSC OIG) for each program for which HHSC OIG has investigative authority.

SECTION 2. Amends Subchapter B, Chapter 31, Human Resources Code, by adding Section 31.045, as follows:

Sec. 31.045. PEACE OFFICERS. Authorizes HHSC OIG to employ and commission peace officers for the purpose of assisting HHSC OIG in the investigation of fraud, waste, or abuse in the financial assistance program. Provides that a peace officer employed and commissioned by HHSC OIG is a peace officer for purposes of Article 2.12 (Who Are Peace Officers), Code of Criminal Procedure.

SECTION 3. Amends Subchapter A, Chapter 33, Human Resources Code, by adding Section 33.032, as follows:

Sec. 33.032. PEACE OFFICERS. Authorizes HHSC OIG to employ and commission peace officers for the purpose of assisting HHSC OIG in the investigation of fraud, waste, or abuse in the supplemental nutrition assistance program. Provides that a peace officer

employed and commissioned by HHSC OIG is a peace officer for purposes of Article 2.12, Code of Criminal Procedure.

SECTION 4. Provides that this Act does not authorize HHSC OIG to commission additional peace officers.

SECTION 5. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes delay of implementation until such a waiver or authorization is granted.

SECTION 6. Effective date: upon passage or September 1, 2017.