



634232

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/26/2010	.	
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The Committee on Health Regulation (Altman) recommended the following:

Senate Amendment

Delete lines 109 - 238
and insert:

and investigative units in order to increase the effectiveness of programs and initiatives dealing with the prevention, detection, and prosecution of Medicaid and public assistance fraud.

(2) ESTABLISHMENT.—The Medicaid and Public Assistance Fraud Strike Force is created within the department to oversee and coordinate state and local efforts to eliminate Medicaid and public assistance fraud and to recover state and federal funds.



634232

13 The strike force shall serve in an advisory capacity and provide
14 recommendations and policy alternatives to the Chief Financial
15 Officer.

16 (3) MEMBERSHIP.—The strike force shall consist of the
17 following 11 members who may not designate anyone to serve in
18 their place:

19 (a) The Chief Financial Officer, who shall serve as chair.

20 (b) The Attorney General, who shall serve as vice chair.

21 (c) The executive director of the Department of Law
22 Enforcement.

23 (d) The Secretary of Health Care Administration.

24 (e) The Secretary of Children and Family Services.

25 (f) The State Surgeon General.

26 (g) Five members appointed by the Chief Financial Officer,
27 consisting of two sheriffs, two chiefs of police, and one state
28 attorney. When making these appointments, the Chief Financial
29 Officer shall consider representation by geography, population,
30 ethnicity, and other relevant factors in order to ensure that
31 the membership of the strike force is representative of the
32 state as a whole.

33 (4) TERMS OF MEMBERSHIP; COMPENSATION; STAFF.—

34 (a) The five members appointed by the Chief Financial
35 Officer will serve 4-year terms; however, for the purpose of
36 providing staggered terms, of the initial appointments, two
37 members will be appointed to a 2-year term, two members will be
38 appointed to a 3-year term, and one member will be appointed to
39 a 4-year term. The remaining members are standing members of the
40 strike force and may not serve beyond the time he or she holds
41 the position that was the basis for strike force membership. A



634232

42 vacancy shall be filled in the same manner as the original
43 appointment but only for the unexpired term.

44 (b) The Legislature finds that the strike force serves a
45 legitimate state, county, and municipal purpose and that service
46 on the strike force is consistent with a member's principal
47 service in a public office or employment. Therefore membership
48 on the strike force does not disqualify a member from holding
49 any other public office or from being employed by a public
50 entity, except that a member of the Legislature may not serve on
51 the strike force.

52 (c) Members of the strike force shall serve without
53 compensation, but are entitled to reimbursement for per diem and
54 travel expenses pursuant to s. 112.061. Reimbursements may be
55 paid from appropriations provided to the department by the
56 Legislature for the purposes of this section.

57 (d) The Chief Financial Officer shall appoint a chief of
58 staff for the strike force who must have experience, education,
59 and expertise in the fields of law, prosecution, or fraud
60 investigations and shall serve at the pleasure of the Chief
61 Financial Officer. The department shall provide the strike force
62 with staff necessary to assist the strike force in the
63 performance of its duties.

64 (5) MEETINGS.—The strike force shall hold its
65 organizational session by March 1, 2011. Thereafter, the strike
66 force shall meet at least four times per year. Additional
67 meetings may be held if the chair determines that extraordinary
68 circumstances require an additional meeting. Members may appear
69 by electronic means. A majority of the members of the strike
70 force constitutes a quorum.



634232

71 (6) STRIKE FORCE DUTIES.—The strike force shall provide
72 advice and make recommendations, as necessary, to the Chief
73 Financial Officer.

74 (a) The strike force may advise the Chief Financial Officer
75 on initiatives that include, but are not limited to:

76 1. Conducting a census of local, state, and federal efforts
77 to address Medicaid and public assistance fraud in this state,
78 including fraud detection, prevention, and prosecution, in order
79 to discern overlapping missions, maximize existing resources,
80 and strengthen current programs.

81 2. Developing a strategic plan for coordinating and
82 targeting state and local resources for preventing and
83 prosecuting Medicaid and public assistance fraud. The plan must
84 identify methods to enhance multiagency efforts that contribute
85 to achieving the state's goal of eliminating Medicaid and public
86 assistance fraud.

87 3. Identifying methods to implement innovative technology
88 and data sharing in order to detect and analyze Medicaid and
89 public assistance fraud with speed and efficiency.

90 4. Establishing a program to provide grants to state and
91 local agencies that develop and implement effective Medicaid and
92 public assistance fraud prevention, detection, and investigation
93 programs, which are evaluated by the strike force and ranked by
94 their potential to contribute to achieving the state's goal of
95 eliminating Medicaid and public assistance fraud. The grant
96 program may also provide startup funding for new initiatives by
97 local and state law enforcement or administrative agencies to
98 combat Medicaid and public assistance fraud.

99 5. Developing and promoting crime prevention services and



634232

100 educational programs that serve the public, including, but not
101 limited to, a well-publicized rewards program for the
102 apprehension and conviction of criminals who perpetrate Medicaid
103 and public assistance fraud.

104 6. Providing grants, contingent upon appropriation, for
105 multiagency or state and local Medicaid and public assistance
106 fraud efforts, which would include, but are not limited to:

107 a. Providing for a Medicaid and public assistance fraud
108 prosecutor in the Office of the Statewide Prosecutor.

109 b. Providing assistance to state attorneys for support
110 services or equipment, or for the hiring of assistant state
111 attorneys, as needed, to prosecute Medicaid and public
112 assistance fraud cases.

113 c. Providing assistance to judges for support services or
114 for the hiring of senior judges, as needed, so that Medicaid and
115 public assistance fraud cases can be heard expeditiously.

116 (b) The strike force shall receive periodic reports from
117 state agencies, law enforcement officers, investigators,
118 prosecutors, and coordinating teams regarding Medicaid and
119 public assistance criminal and civil investigations. Such
120 reports may include discussions regarding significant factors
121 and trends relevant to a statewide Medicaid and public
122 assistance fraud strategy.

123 (7) REPORTS.—The strike force shall annually prepare and
124 submit a report on its activities and recommendations, by
125 October 1, to the President of the Senate, the Speaker of the
126 House of Representatives, the Governor, and the chairs of the
127 House of Representatives and Senate committees that have
128 substantive jurisdiction over Medicaid and public assistance



634232

129 fraud.

130 Section 3. Section 624.352, Florida Statutes, is created to
131 read:

132 624.352 Interagency agreements to detect and deter Medicaid
133 and public assistance fraud.-

134 (1) The Chief Financial Officer shall prepare model
135 interagency agreements for the coordination of prevention,
136 investigation, and prosecution of Medicaid and public assistance
137 fraud to be known as "Strike Force" agreements. Parties to such
138 agreements may include any agency that is headed by a Cabinet
139 officer, the Governor, the