

**102ND GENERAL ASSEMBLY****State of Illinois****2021 and 2022****SB3890**

Introduced 1/21/2022, by Sen. Brian W. Stewart - Chapin Rose - Dale Fowler

SYNOPSIS AS INTRODUCED:

305 ILCS 5/12-14.2 new

Amends the Illinois Public Aid Code. Requires the Auditor General to conduct a performance audit on the Department of Healthcare and Family Services to review and assess the Department's protocols for detecting and preventing Medicaid fraud and abuse under the State's medical assistance program. Provides that the audit shall cover the Department's administration of the medical assistance program during State fiscal years 2020 through 2022. Requires the Auditor General to, at a minimum, review, evaluate, and report to the General Assembly on the following: (1) the total amount in payments the Department made during the reporting period on behalf of medical assistance beneficiaries; (2) the total amount of payments identified in paragraph (1) that were made in error or as a result of fraud or abuse during the reporting period, including duplicate payments, payments for services not rendered, payments for unauthorized services, payments to fictitious vendors, payments made on behalf of deceased beneficiaries, and payments made on behalf of individuals for any period during which they were ineligible to receive medical assistance; (3) the total amount of payments identified in paragraph (2) that were recovered by the Department; (4) emerging trends of fraud, waste, and abuse under the medical assistance program and the Department's actions to identify and address these emerging trends; (5) the frequency and success of eligibility checks conducted during the reporting period to prevent the improper use of State and federal Medicaid funds; and (6) the Department's compliance with applicable State and federal requirements concerning fraud detection and prevention. Requires the Auditor General to commence the audit as soon as possible and report his or her findings to the General Assembly no later than 2 years after the effective date of the amendatory Act. Requires the Auditor General's report to include any issues or deficiencies and recommendations. Effective immediately.

LRB102 23061 KTG 32217 b

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 adding Section 12-14.2 as follows:

6 (305 ILCS 5/12-14.2 new)

7 Sec. 12-14.2. Auditor General; medical assistance fraud.

8 The Auditor General shall conduct a performance audit on the
9 Department of Healthcare and Family Services to review and
10 assess the Department's protocols for detecting and preventing
11 Medicaid fraud and abuse under the State's medical assistance
12 program. The audit shall cover the Department's administration
13 of the medical assistance program during State fiscal years
14 2020 through 2022. At a minimum, the Auditor General shall
15 review, evaluate, and report to the General Assembly on the
16 following:

17 (1) The total amount of payments the Department made
18 during the reporting period on behalf of medical
19 assistance beneficiaries.

20 (2) The total amount of payments identified in
21 paragraph (1) that were made in error or as a result of
22 fraud or abuse during the reporting period. The reported
23 amount under this paragraph shall, at a minimum, include

1 and identify duplicate payments, payments for services not
2 rendered, payments for unauthorized services, payments to
3 fictitious vendors, payments made on behalf of deceased
4 beneficiaries, and payments made on behalf of individuals
5 for any period during which they were ineligible to
6 receive medical assistance.

7 (3) The total amount of payments identified in
8 paragraph (2) that were recovered by the Department
9 through recoupment, setoff, crediting of future billings,
10 or direct repayment.

11 (4) Emerging trends of fraud, waste, and abuse under
12 the medical assistance program and the Department's
13 actions to identify and address these emerging trends.

14 (5) The frequency and success of eligibility checks
15 conducted during the reporting period to prevent the
16 improper use of State and federal Medicaid funds.

17 (6) The Department's compliance with applicable State
18 and federal requirements concerning fraud detection and
19 prevention.

20 The Department of Healthcare and Family Services and, if
21 applicable, the Department of Human Services shall cooperate
22 with the Auditor General in the conduct of this audit.

23 The Auditor General shall commence this audit as soon as
24 possible and report his or her findings to the General
25 Assembly no later than 2 years after the effective date of this
26 amendatory Act of the 102nd General Assembly. The Auditor

1 General's report shall include any issues or deficiencies and
2 recommendations. The audit required by this Section shall be
3 in accordance with and subject to the Illinois State Auditing
4 Act.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.