

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 12-4.40 as follows:

6 (305 ILCS 5/12-4.40 new)

7 Sec. 12-4.40. Public Benefits Fraud Protection Task Force.

8 (a) Purpose. The purpose of the Public Benefits Fraud
9 Protection Task Force is to conduct a thorough review of the
10 nature of public assistance fraud in the State of Illinois; to
11 ascertain the feasibility of implementing a mechanism to
12 determine the pervasiveness and frequency of public assistance
13 fraud; to calculate the detriment of public assistance fraud to
14 the financial status and socio-economic status of public aid
15 recipients specifically and Illinois taxpayers generally; and
16 to determine if more stringent penalties or compassionate
17 procedures are necessary.

18 (b) Definitions. As used in this Section:

19 "Task Force" means the Public Benefits Fraud Protection
20 Task Force.

21 "Public assistance" or "public aid" includes, without
22 limitation, Medicaid, TANF, the Illinois LINK Program, General
23 Assistance, Transitional Assistance, the Supplemental

1 Nutrition Assistance Program, and the Child Care Assistance
2 Program.

3 (c) The Public Benefits Fraud Protection Task Force. The
4 Public Benefits Fraud Protection Task Force is created. The
5 Task Force shall be composed of 15 members appointed as
6 follows:

7 (1) One member of the Illinois Senate appointed by the
8 President of the Senate, who shall be co-chair to the Task
9 Force;

10 (2) One member of the Illinois Senate appointed by the
11 Senate Minority Leader;

12 (3) One member of the Illinois House of Representatives
13 appointed by the Speaker of the House of Representatives,
14 who shall be co-chair to the Task Force;

15 (4) One member of the Illinois House of Representatives
16 appointed by the House Minority Leader;

17 (5) The following persons, or their designees: the
18 Director of Public Health, the Director of Healthcare and
19 Family Services, and the Secretary of Human Services;

20 (6) The Director of the Illinois Department on Aging,
21 or his or her designee;

22 (7) The Illinois Auditor General, or his or her
23 designee;

24 (8) The Inspector General of the Illinois Department of
25 Human Services, or his or her designee;

26 (9) A representative from the Illinois State Police

1 Medicaid Fraud Control Unit;

2 (10) Three persons, who are not currently employed by a
3 State agency, appointed by the Secretary of Human Services,
4 one of whom shall be a person with professional experience
5 in child care issues, one of whom shall be a person with
6 knowledge and experience in legal aid services, and one of
7 whom shall be a person with knowledge and experience in
8 poverty law; and

9 (11) The Attorney General, or his or her designee.

10 (d) Compensation and qualifications. Members shall serve
11 without compensation and shall be adults and residents of
12 Illinois.

13 (e) Appointments. Appointments shall be made 90 days from
14 the effective date of this amendatory Act of the 96th General
15 Assembly.

16 (f) Hearings. The Task Force shall solicit comments from
17 stakeholders and hold public hearings before filing any report
18 required by this Section. At the public hearings, the Task
19 Force shall allow interested persons to present their views and
20 comments. The Task Force shall submit all reports required by
21 this Section to the Governor and the General Assembly. In
22 addition to the reports required by this Section, the Task
23 Force may provide, at its discretion, interim reports and
24 recommendations. The Department of Human Services shall
25 provide administrative support to the Task Force.

26 (g) Task Force duties. The Task Force shall gather

1 information and make recommendations relating to at least the
2 following topics in relation to public assistance fraud:

3 (1) Reviews of provider billing of public aid claims.

4 (2) Reviews of recipient utilization of public aid.

5 (3) Protocols for investigating recipient public aid
6 fraud.

7 (4) Protocols for investigating provider public aid
8 fraud.

9 (5) Reporting of alleged fraud by private citizens
10 through qui tam actions.

11 (6) Examination of current fraud prevention measures
12 which may hinder legitimate aid claims.

13 (7) Coordination between relevant agencies in fraud
14 investigation.

15 (8) Financial audit of the current costs borne by aid
16 recipients and Illinois government through fraud.

17 (9) Examination of enhanced penalties for fraudulent
18 recipients and providers.

19 (10) Enhanced whistleblower protections.

20 (11) Partnerships with businesses and community groups
21 to curb fraud.

22 (h) Task Force recommendations. Any of the findings,
23 recommendations, public postings, and other relevant
24 information regarding the Task Force shall be made available on
25 the Department of Human Services' website.

26 (i) Reporting requirements. The Task Force shall submit

1 findings and recommendations to the Governor and the General
2 Assembly by December 31, 2011, including any necessary
3 implementing legislation, and recommendations for changes to
4 policies, rules, or procedures that are not incorporated in the
5 implementing legislation.

6 (j) Dissolution of Task Force. The Task Force shall be
7 dissolved 90 days after its report has been submitted to the
8 Governor's Office and the General Assembly.

9 Section 99. Effective date. This Act takes effect January
10 1, 2011.