

BILL ANALYSIS

Senate Research Center
76R1913 KKA-D

S.B. 11
By: Zaffirini
Human Services
2/8/1999
As Filed

DIGEST

Currently, Texas law establishes that a person commits a felony if the person knowingly provided improper information relating to payments to the state Medicaid program. This bill would change the standard of proof for Medicaid fraud from actual knowledge to constructive knowledge.

PURPOSE

As proposed, S.B. 11 establishes provisions regarding the mental state applicable to certain violations under the state Medicaid program.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 32.039(b) and (d), Human Resources Code, to establish that a person commits a violation if the person presents a claim to the Department of Human Services that the person knows or should know to be false. Makes conforming changes.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.