

SUBJECT: Directing certain state agencies to review investigative practices

COMMITTEE: Public Health — committee substitute recommended

VOTE: 9 ayes — Kolkhorst, Naishtat, Collier, S. Davis, Guerra, S. King, Laubenberg, J.D. Sheffield, Zedler

0 nays

2 absent — Coleman, Cortez

WITNESSES: For — (*Registered, but did not testify:* Patrick Fitzsimons, Farm and Ranch Freedom Alliance; Anne Olson, Texas Baptist Christian Life Commission)

Against — None

On — Rick Copeland, Texas Attorney General; Douglas Wilson, HHSC

DIGEST: CSHB 947 would direct the Health and Human Services Commission’s office of the inspector general (OIG) to work with the office of the attorney general (OAG) to review how the agencies coordinate efforts to:

- investigate fraud, waste, and abuse in providing health and human services; and
- enforce state laws that address provision of these services.

The OIG also would be required to develop strategies to address fraud, waste, and abuse in the supplemental nutrition assistance program (SNAP).

By September 1, 2014, the offices would be required to submit a report to the Legislature detailing any additional authority that would enable the OIG to more effectively conduct investigations. The OIG would be required to submit a report on strategies to address SNAP fraud, waste, and abuse by the same date.

The bill would take effect September 1, 2013, and its directives would

expire January 1, 2015.

**SUPPORTERS
SAY:**

CSHB 947 would help lawmakers understand the extent to which the OIG coordinates with the OAG on fraud, waste, and abuse investigations in health and human services. Although the two agencies work together to investigate Medicaid fraud, waste, and abuse, it is unclear whether the agencies coordinate their efforts on other health and human services investigations and whether the OIG needs additional authority in this area.

Although some critics argue that this bill is unnecessary because interagency coordination is already required, CSHB 947 would allow lawmakers to evaluate and improve the interagency investigative process and ensure that current law was being followed.

Further, despite some federal oversight, too little is known about SNAP fraud, waste, and abuse in Texas, and the OIG does not currently have a specific process to address problems. A report would help the agency develop strategies to investigate potential fraud, while enabling lawmakers to determine if the program is being abused and evaluate whether additional state oversight is necessary.

**OPPONENTS
SAY:**

The initiative proposed in CSHB 947 is unnecessary because interagency coordination on health and human services investigations is already required by the Government Code. Further, the U.S. Department of Agriculture maintains oversight of SNAP fraud, waste, and abuse by monitoring electronic benefit transfers and investigating suspicious transactions.

NOTES:

CSHB 947 differs from the bill as introduced in that the committee substitute would include the OAG as a collaborator in producing the report to the Legislature on whether the OIG needed additional authority to more effectively conduct investigations.