

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 4292-02
Bill No.: HB 1401
Subject: Public Assistance; Liability
Type: Original
Date: January 30, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator, the Department of Social Services–Division of Medical Services, the Department of Corrections, and the Office of Prosecution Services** assume this proposal would not fiscally impact their agency.

Officials from the **Department of Health and Senior Services (DOH)** assume this proposal would not fiscally impact their agency. DOH assumes if a fiscal impact were to result, funds to support the program would be sought through the appropriation process.

Officials from the **Department of Mental Health (DMH)** state DMH has effective policies in place so there is no need to change any current practice or procedure. DMH states implementation of this policy have no fiscal impact.

Officials from the **Office of Attorney General (AGO)** assume any potential costs arising from this proposal could be absorbed with existing resources.

Officials from the **State Public Defender** did not respond to our fiscal note request. **Oversight** assumes there would be no fiscal impact to their agency.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

DESCRIPTION

This proposal prohibits an individual or employee who initiates, assists, or participates in reporting Missouri Medicaid fraud or who testifies in any administrative or judicial proceeding from being discharged, demoted, suspended, threatened, or harassed in his or her line of employment. Any person violating this provision must reinstate the employee at his or her prior position without loss of seniority and pay two times the amount of lost back pay, interest on back pay, compensation for any special damages, and any other relief deemed necessary.

Whistle-blower protections for the reporting of Medicaid fraud do not apply in situations when the individual has filed a frivolous report, initiated or participated in the fraud, or is convicted of or pleads guilty to criminal conduct involving the fraud.

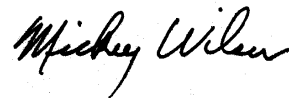
Individuals reporting Medicaid fraud will be immune from civil or criminal liability unless they acted negligently, recklessly, maliciously, or in bad faith.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Social Services –
Division of Medical Services
Department of Corrections
Office of Prosecution Services
Department of Health and Senior Services
Department of Mental Health
Office of Attorney General

NOT RESPONDING: State Public Defender

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA
Director
January 30, 2006