

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for
2 Senate Bill No. 783, Page 1, Section 1.016, Line 6, by inserting after all of said section and line the
3 following:
4

5 "288.104. 1. This section shall be known and may be cited as the "Employment Security
6 Program Integrity Act of 2022".

7 2. As used in this section, the following terms mean:

8 (1) "Department of corrections", the Missouri department of corrections;

9 (2) "Division", the division of employment security of the Missouri department of labor and
10 industrial relations;

11 (3) "Employment security rolls", the list of all persons currently receiving unemployment
12 compensation benefits under this chapter, to be kept and updated by the division;

13 (4) "National data check system", any public, private, or non-profit national data system
14 designed to verify the identity, employment status, eligibility status, and claims submitted status of
15 any individual participating in, or applying to participate in, an unemployment compensation
16 program;

17 (5) "New-hire records", the directory of newly hired and rehired employees reported under
18 applicable state and federal laws;

19 (6) "Welfare agency", any state agency, department, or entity which distributes or
20 administers public assistance benefits, other than unemployment compensation benefits, through the
21 Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance (SNAP),
22 Medicaid, or public housing programs.

23 3. The division shall engage with and utilize a national data check system to ensure that only
24 eligible individuals receive unemployment compensation benefits pursuant to this chapter.

25 4. The division shall, on a weekly basis, check its employment security rolls against a list of
26 incarcerated individuals, which shall be provided to the division by the department of corrections, to
27 verify the eligibility of unemployment compensation benefit claimants and to ensure that only
28 eligible individuals receive unemployment compensation benefits pursuant to this chapter.

29 5. The division shall, on a weekly basis, check its employment security rolls against state
30 death records.

31 6. The division shall, on a weekly basis, check its new-hire records against the records
32 contained in the National Directory of New Hires in order to verify the eligibility of the individuals
33 named in the division's new-hire records.

34 7. The division shall verify the identity of unemployment compensation benefit claimants by
35 methods including but not limited to:

36 (1) Verifying the identity of an applicant prior to awarding benefits; and

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1 (2) Requiring multi-factor authentication as part of online applications.

2 8. The division shall perform a full eligibility review of suspicious or potentially improper
3 claims, in cases including but not limited to:

4 (1) Multiple or duplicative claims filed online originating from the same internet protocol
5 address;

6 (2) Claims filed online from foreign internet protocol addresses;

7 (3) Multiple or duplicative claims filed which are associated with the same mailing address;
8 and

9 (4) Multiple or duplicative claims filed which are associated with the same bank account.

10 9. Any welfare agency, upon receipt of information that an enrolled individual has become
11 employed, shall notify the division in order that the division may determine whether an individual
12 remains eligible for unemployment compensation benefits.

13 10. (1) The division shall adopt and implement internal administrative policies to prioritize
14 and pursue the recovery of fraudulent or otherwise improper unemployment compensation benefit
15 overpayments to the fullest extent allowable under applicable state and federal law. The division
16 shall attempt to recover all outstanding unemployment compensation benefit overpayments unless
17 doing so would violate state or federal law, though this section shall not be construed to apply to
18 overpayments issued on claims filed during a state of emergency declared by the governor due to
19 COVID-19.

20 (2) The division shall maintain records of all of its attempts to recover unemployment
21 compensation benefit overpayments. The division shall issue a written report to the general
22 assembly each year, no later than December thirty-first, describing improper unemployment
23 compensation benefit payments and their recovery, the extent to which any improper unemployment
24 compensation benefit payments have not been corrected or recovered, and the reasons for the failure
25 of the division to secure such correction or recovery.

26 11. The division is hereby authorized to execute a memorandum of understanding with any
27 governmental entity of this state in order to share and receive such information as may be necessary
28 for the division to administer the provisions of this section.

29 12. If the division receives information relating to an individual who has been found eligible
30 for unemployment compensation benefits and such information indicates a change in circumstances
31 that could affect the individual's eligibility, the division shall review the individual's eligibility case.

32 13. The division may promulgate all necessary rules and regulations for the administration of
33 this section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
34 under the authority delegated in this section shall become effective only if it complies with and is
35 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
36 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to
37 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
38 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
39 the effective date of this section shall be invalid and void."; and

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41 Further amend said bill by amending the title, enacting clause, and intersectional references
42 accordingly.