

SENATE BILL 334

By Jackson

AN ACT to amend Tennessee Code Annotated, Title 38 and Title 71, relative to the medicaid fraud control division.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-2508, is amended by deleting the section and substituting instead:

There is established a medicaid fraud control unit, referred to as the medicaid fraud control division, which is separate and distinct from the state medicaid agency, and is within the Tennessee bureau of investigation or within another appropriate agency at the discretion of the governor. As regulated by federal law, the unit is authorized to investigate and refer for prosecution violations of all applicable laws pertaining to provider or vendor fraud and abuse in the administration of the medicaid program; the provision of goods or services or the activities of providers of goods or services under the state medicaid plan; medicare fraud; abuse, neglect, and misappropriation of funds or property in healthcare facilities receiving payments under the state medicaid plan and in board and care facilities as allowed by federal law; and complaints of abuse, neglect, and financial exploitation of medicaid recipients in any setting. A summary of the unit's work shall be included in a report which must be submitted annually to the governor, judiciary committee of the senate, and criminal justice committee of the house of representatives.

SECTION 2. Tennessee Code Annotated, Section 38-6-101, is amended by deleting subdivision (a)(2) and substituting:

(2) The bureau shall be divided into no less than three (3) divisions, the criminal investigation division, the forensic services division, and the narcotics investigation division. Additional divisions may be created by the director as necessary for proper functioning of the bureau. Criminal investigators for any division within the bureau shall have the powers described in § 38-6-102. The director shall have full control over all divisions.

SECTION 3. This act takes effect upon becoming law, the public welfare requiring it.