Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION ADOPTED ___ (Y/N) ADOPTED AS AMENDED ___ (Y/N) ADOPTED W/O OBJECTION ___ (Y/N) FAILED TO ADOPT ___ (Y/N) WITHDRAWN ___ (Y/N) OTHER

Committee/Subcommittee hearing bill: Appropriations Committee Representative Coley offered the following:

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Amendment (with title amendment)

Remove lines 1053-1060 and insert:

- (12) INVESTIGATIONS OF FRAUD OR OVERPAYMENT.—
- (a) As used in this subsection, the term "fraud" means an intentional deception or misrepresentation made by a person with knowledge that the deception or misrepresentation may result in unauthorized benefit to that person or another person. The term includes any act that constitutes fraud under applicable federal or state law.
- (b) To recover state, federal, and local matching funds, the inspector general of the Office of Early Learning shall investigate coalitions, recipients, and providers of the school readiness program and the Voluntary Prekindergarten Education Program to determine possible fraud or overpayment. If by its own inquiries, or as a result of a complaint, the office has reason to believe that a person has engaged in, or is engaging

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in a fraudulent act, it shall investigate and determine whether any overpayment has occurred due to the fraudulent act. During the investigation, the office may examine all records, including electronic benefits transfer records, and make inquiry of all persons who may have knowledge as to any irregularity incidental to the disbursement of public moneys or other items or benefits authorizations to recipients.

- overpayment has occurred due to a fraudulent act, the parent or provider is responsible for repayment and restitution of any costs associated with the fraud, and the office shall pursue collection through any legal means. A provider or parent may not participate in the program until the repayment is made in full. Any provider that shares an officer or director with a provider that is ineligible to participate under this section will not be permitted to participate until repayment is made in full.
- (d) Based on the results of the investigation, the inspector general may, in his or her discretion, refer the investigation to the Department of Law Enforcement for criminal prosecution, seek civil enforcement, or refer the matter to the applicable coalition. Any suspected criminal violation identified by the inspector general must be referred to the Department of Legal Affairs for investigation.
- (e) If a school readiness provider, after investigation and adjudication by a court of competent jurisdiction, is convicted of fraudulently misrepresenting enrollment or attendance related to the school readiness program or the Voluntary Education Prekindergarten Program, the coalition shall

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permanently refrain from contracting with, or using the services of, that provider. In addition, the coalition shall permanently refrain from contracting with, or using the services of, any provider that shares an officer or director with a provider that is convicted of fraudulently misrepresenting enrollment or attendance related to the school readiness program or the Voluntary Education Prekindergarten Program.

- (f) If the investigation is not confidential or otherwise exempt from disclosure by law, the results of an investigation may be reported by the Office of Early Learning to the appropriate legislative committees, the Department of Education, the Department of Children and Family Services, and to such other persons as the office deems appropriate.
- (g) A person who commits an act of fraud as defined in this subsection is subject to the penalties provided in s. 414.39(5)(a) and (b).

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participation of school readiness providers and

Remove lines 32-36 and insert:

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TITLE AMENDMENT

conflict with federal requirements; defining the term

"fraud" for purposes of the school readiness program;

providing for investigations of fraud or overpayment

in the school readiness program; providing for the

repayment of identified overpayments; limiting the

COMMITTEE/SUBCOMMITTEE AMENDMENT

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76	parents in the program until repayment is made in
77	full; providing penalties for acts of fraud;
78	conforming provisions;
79	

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