



26 | to a violation of the state's public assistance fraud laws if  
 27 | the information and report:

28 |       1. Are made to the department, the Department of Financial  
 29 | Services, or the Department of Law Enforcement.

30 |       2. Relate to criminal fraud upon public assistance program  
 31 | funds or a criminal violation of public assistance fraud laws by  
 32 | another person.

33 |       3. Lead to the recovery of a fine, penalty, or forfeiture  
 34 | of property.

35 |       (b) The reward may not exceed 10 percent of the amount  
 36 | recovered in full by the department or \$500,000, whichever is  
 37 | less, in a single case.

38 |       (c) The reward shall be paid from the state retained share  
 39 | of the recovered overpayments held ~~recovery~~ in the Federal  
 40 | Grants Trust Fund from moneys collected pursuant to s. 414.41.

41 |       (d) A person who receives a reward pursuant to this  
 42 | subsection is not eligible to receive funds pursuant to the  
 43 | Florida False Claims Act for Medicaid fraud for which the reward  
 44 | was received.

45 |       Section 2. Subsection (4) is added to section 414.41,  
 46 | Florida Statutes, to read:

47 |       414.41 Recovery of payments made due to mistake or fraud.—

48 |       (4) All collected state-retained share of recovered  
 49 | overpayments shall be held in the Federal Grants Trust Fund from  
 50 | which the department is authorized to establish a financial

51 statement reserve.

52 (a) The financial statement reserve shall contain the  
53 amount of the state-retained share of collections for a fiscal  
54 year minus the operational costs associated with the  
55 department's benefit recovery and front-end fraud detection and  
56 prevention activities for that year.

57 (b) The purpose of the financial statement reserve is to  
58 have funds available to pay public assistance fraud rewards as  
59 required pursuant to s. 414.39(11) and to enable reinvestment of  
60 funds to support strategies that will produce specific financial  
61 outcomes, including, but not limited to, increased collections  
62 under this section.

63 (c) Financial statement reserve funds shall be used to pay  
64 public assistance fraud rewards and to fund public assistance  
65 fraud detection and prevention initiatives that enable the  
66 department to respond to and investigate emergent public  
67 assistance fraud schemes and threats.

68 (d) By October 1 of each fiscal year, the department shall  
69 submit a report to the President of the Senate and the Speaker  
70 of the House of Representatives that includes:

71 1. The amount of funds in the financial statement reserve.

72 2. The number and amount of public assistance fraud  
73 rewards paid during the previous fiscal year and an estimate of  
74 the amount of public assistance fraud rewards to be paid during  
75 the next fiscal year.

76           3. A description of specific proposed projects to be  
 77 supported by the expenditure of such funds, including expected  
 78 outcomes of the proposed projects, and estimated return on  
 79 investment for the next fiscal year.

80           4. Actual outcomes and return on investment associated  
 81 with projects approved pursuant to paragraph (e).

82           (e) Upon authorization in the General Appropriations Act  
 83 or similar legislation and notwithstanding chapter 216, the  
 84 department may use the reserve funds to pay public assistance  
 85 fraud rewards and to fund one or more of the specific projects  
 86 proposed in the report submitted pursuant to paragraph (d).

87           Section 3. Paragraph (d) of subsection (11) of section  
 88 943.045, Florida Statutes, is amended to read:

89           943.045 Definitions; ss. 943.045-943.08.—The following  
 90 words and phrases as used in ss. 943.045-943.08 shall have the  
 91 following meanings:

92           (11) "Criminal justice agency" means:

93           (d) The protective and fraud investigations components  
 94 ~~component~~ of the Department of Children and Families, which  
 95 investigates the crimes of abuse and neglect and public  
 96 assistance fraud.

97           Section 4. This act shall take effect July 1, 2018.