

Amend CSHB 2292 by adding the following appropriately numbered section and renumbering subsequent sections of the bill accordingly:

SECTION _____. (a) Section 531.101, Government Code, is amended to read as follows:

Sec. 531.101. AWARD FOR REPORTING MEDICAID FRAUD, ABUSE, OR OVERCHARGES. (a) The commission may grant an award to an individual who reports activity that constitutes fraud or abuse of funds in the state Medicaid program or reports overcharges in the program if the commission determines that the disclosure results in the recovery of an administrative penalty imposed under Section 32.039, Human Resources Code. The commission may not grant an award to an individual in connection with a report if the commission or attorney general had independent knowledge of the activity reported by the individual ~~[overcharge or in the termination of the fraudulent activity or abuse of funds]~~.

(b) The commission shall determine the amount of an award. The award may not exceed five ~~[must be equal to not less than 10]~~ percent of the amount of the administrative penalty imposed under Section 32.039, Human Resources Code, ~~[savings to this state]~~ that resulted ~~[result]~~ from the individual's disclosure. In determining the amount of the award, the commission shall consider how important the disclosure is in ensuring the fiscal integrity of the program. The commission may also consider whether the individual participated in the fraud, abuse, or overcharge.

~~(c) [An award under this section is subject to appropriation. The award must be paid from money appropriated to or otherwise available to the commission, and additional money may not be appropriated to the commission for the purpose of paying the award.]~~

~~[(d) Payment of an award under this section from federal funds is subject to the permissible use under federal law of funds for this purpose.]~~

~~[(e)]~~ A person who brings an action under Subchapter C, Chapter 36, Human Resources Code, is not eligible for an award under this section.

(b) Section 531.101, Government Code, as amended by this

section, applies only to a report that occurs on or after the effective date of this section. A report that occurs before the effective date of this section is governed by the law in effect at the time of the report, and the former law is continued in effect for that purpose.