

Amend CSSB 1188 (house committee printing) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS accordingly:

SECTION \_\_. FRAUD AND ABUSE INVESTIGATIONS. Section 531.1021, Government Code, is amended by amending Subsection (g) and adding Subsections (h) and (i) to read as follows:

(g) Except as provided by Subsection (h), all ~~[All]~~ information and materials subpoenaed or compiled by the office in connection with an open fraud and abuse investigation are confidential and not subject to disclosure under Chapter 552, and not subject to disclosure, discovery, subpoena, or other means of legal compulsion for their release to anyone other than the office or its employees or agents involved in the investigation conducted by the office, except that this information may be disclosed to the office of the attorney general and other law enforcement agencies.

(h) This section may not be interpreted to prohibit the disclosure of information contained in a closed fraud and abuse investigative case file or information contained in a fraud and abuse investigative case file relating to a case that has been resolved by settlement, unless disclosure is otherwise prohibited by law.

(i) For purposes of this section, a fraud and abuse investigation is any formal inquiry of the office of inspector general that:

(1) is based upon a suspicion of fraud, as defined by Section 531.1011, in the provision of health and human services; or

(2) supports a claim by the state or a health and human services agency of fraud in the provision of health and human services.