

## **BILL ANALYSIS**

Senate Research Center  
85R19415 LED-D

H.B. 2523  
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Health & Human Services  
5/17/2017  
Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The Office of Inspector General located within Health and Human Services Commission (HHSC OIG), has authority to commission five peace officers to investigate fraud, waste, and abuse in the Medicaid program. These officers aid in the recovery of state and federal funds, and assist in prosecuting offenders. Interested parties note that allowing these peace officers to investigate fraud, waste, and abuse in the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) program, and the supplemental nutrition program for Women, Infants, and Children (WIC) would lead to similar results.

H.B. 2523 allows peace officers commissioned by HHSC OIG to investigate fraud, waste, and abuse in Medicaid to also investigate fraud, waste, and abuse in the SNAP, TANF, and WIC programs.

H.B. 2523 removes the expanded investigatory jurisdiction for the five Medicaid-dedicated peace officers and authorizes the HHSC OIG to commission other officers to investigate fraud, waste, and abuse in SNAP and TANF. H.B. 2523 allows the HHSC OIG greater flexibility in allowing all of their commissioned peace officers, including those authorized to investigate state hospitals and state supported living centers, to investigate fraud waste and abuse in these programs. H.B. 2523 does not include the WIC program, limiting the investigatory authority to SNAP and TANF.

H.B. 2523 amends current law relating to the investigation of fraud, waste, and abuse in certain public benefits programs by the office of inspector general for the Health and Human Services Commission.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 31, Human Resources Code, by adding Section 31.045, as follows:

Sec. 31.045. PEACE OFFICERS. Authorizes the Health and Human Services Commission's office of inspector general (HHSC OIG) to employ and commission peace officers for the purpose of assisting HHSC OIG in the investigation of fraud, waste, or abuse in the financial assistance program. Provides that a peace officer employed and commissioned by HHSC OIG is a peace officer for purposes of Article 2.12 (Who Are Peace Officers), Code of Criminal Procedure.

SECTION 2. Amends Subchapter A, Chapter 33, Human Resources Code, by adding Section 33.032, as follows:

Sec. 33.032. PEACE OFFICERS. Authorizes HHSC OIG to employ and commission peace officers for the purpose of assisting HHSC OIG in the investigation of fraud, waste, or abuse in the supplemental nutrition assistance program. Provides that a peace officer

employed and commissioned by HHSC OIG is a peace officer for purposes of Article 2.12, Code of Criminal Procedure.

SECTION 3. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 4. Effective date: upon passage or September 1, 2017.