

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by  
5 adding Section 12-4.40 as follows:

6 (305 ILCS 5/12-4.40 new)

7 Sec. 12-4.40. Public Benefits Fraud Protection Task Force.

8 (a) Purpose. The purpose of the Public Benefits Fraud  
9 Protection Task Force is to conduct a thorough review of the  
10 nature of public assistance fraud in the State of Illinois; to  
11 ascertain the feasibility of implementing a mechanism to  
12 determine the pervasiveness and frequency of public assistance  
13 fraud; to calculate the detriment of public assistance fraud to  
14 the financial status and socio-economic status of public aid  
15 recipients specifically and Illinois taxpayers generally; and  
16 to determine if more stringent penalties or compassionate  
17 procedures are necessary.

18 (b) Definitions. As used in this Section:

19 "Task Force" means the Public Benefits Fraud Protection  
20 Task Force.

21 "Public assistance" or "public aid" includes, without  
22 limitation, Medicaid, TANF, the Illinois LINK Program, General  
23 Assistance, Transitional Assistance, the Supplemental

1 Nutrition Assistance Program, and the Child Care Assistance  
2 Program.

3 (c) The Public Benefits Fraud Protection Task Force. The  
4 Public Benefits Fraud Protection Task Force is created. The  
5 Task Force shall be composed of 17 members appointed as  
6 follows:

7 (1) One member of the Illinois Senate appointed by the  
8 President of the Senate, who shall be co-chair to the Task  
9 Force;

10 (2) One member of the Illinois Senate appointed by the  
11 Senate Minority Leader;

12 (3) One member of the Illinois House of Representatives  
13 appointed by the Speaker of the House of Representatives,  
14 who shall be co-chair to the Task Force;

15 (4) One member of the Illinois House of Representatives  
16 appointed by the House Minority Leader;

17 (5) The following persons, or their designees: the  
18 Director of Public Health, the Director of Healthcare and  
19 Family Services, and the Secretary of Human Services;

20 (6) The Director of the Illinois Department on Aging,  
21 or his or her designee;

22 (7) The Executive Inspector General appointed by the  
23 Governor, or his or her designee;

24 (8) The Inspector General of the Illinois Department of  
25 Human Services, or his or her designee;

26 (9) A representative from the Illinois State Police

1 Medicaid Fraud Control Unit;

2 (10) Three persons, who are not currently employed by a  
3 State agency, appointed by the Secretary of Human Services,  
4 one of whom shall be a person with professional experience  
5 in child care issues, one of whom shall be a person with  
6 knowledge and experience in legal aid services, and one of  
7 whom shall be a person with knowledge and experience in  
8 poverty law;

9 (11) The Attorney General, or his or her designee;

10 (12) A representative of a union representing front  
11 line State employees who administer public benefits  
12 programs; and

13 (13) A representative of a statewide business  
14 association.

15 (d) Compensation and qualifications. Members shall serve  
16 without compensation and shall be adults and residents of  
17 Illinois.

18 (e) Appointments. Appointments shall be made 90 days from  
19 the effective date of this amendatory Act of the 96th General  
20 Assembly.

21 (f) Hearings. The Task Force shall solicit comments from  
22 stakeholders and hold public hearings before filing any report  
23 required by this Section. At the public hearings, the Task  
24 Force shall allow interested persons to present their views and  
25 comments. The Task Force shall submit all reports required by  
26 this Section to the Governor and the General Assembly. In

1 addition to the reports required by this Section, the Task  
2 Force may provide, at its discretion, interim reports and  
3 recommendations. The Department of Human Services shall  
4 provide administrative support to the Task Force.

5 (g) Task Force duties. The Task Force shall gather  
6 information and make recommendations relating to at least the  
7 following topics in relation to public assistance fraud:

8 (1) Reviews of provider billing of public aid claims.

9 (2) Reviews of recipient utilization of public aid.

10 (3) Protocols for investigating recipient public aid  
11 fraud.

12 (4) Protocols for investigating provider public aid  
13 fraud.

14 (5) Reporting of alleged fraud by private citizens  
15 through qui tam actions.

16 (6) Examination of current fraud prevention measures  
17 which may hinder legitimate aid claims.

18 (7) Coordination between relevant agencies in fraud  
19 investigation.

20 (8) Financial audit of the current costs borne by aid  
21 recipients and Illinois government through fraud.

22 (9) Examination of enhanced penalties for fraudulent  
23 recipients and providers.

24 (10) Enhanced whistleblower protections.

25 (11) Voluntary assistance from businesses and  
26 community groups in efforts to curb fraud.

1       (h) Task Force recommendations. Any of the findings,  
2 recommendations, public postings, and other relevant  
3 information regarding the Task Force shall be made available on  
4 the Department of Human Services' website.

5       (i) Reporting requirements. The Task Force shall submit  
6 findings and recommendations to the Governor and the General  
7 Assembly by December 31, 2011, including any necessary  
8 implementing legislation, and recommendations for changes to  
9 policies, rules, or procedures that are not incorporated in the  
10 implementing legislation.

11       (j) Dissolution of Task Force. The Task Force shall be  
12 dissolved 90 days after its report has been submitted to the  
13 Governor's Office and the General Assembly.

14       Section 99. Effective date. This Act takes effect January  
15 1, 2011.