

SENATE BILL REPORT

SB 6226

As Reported by Senate Committee On:
Human Services, January 30, 2024

Title: An act relating to creating reporting requirements for the department of social and health service's office of fraud and accountability.

Brief Description: Creating reporting requirements for the department of social and health service's office of fraud and accountability.

Sponsors: Senators Trudeau, Kuderer, Lovick, Nguyen and Nobles.

Brief History:

Committee Activity: Human Services: 1/25/24, 1/30/24 [DP-WM].

Brief Summary of Bill

- Directs of the Department of Social and Health Services' Office of Fraud and Accountability (Office) to submit a report to the Legislature by December 1, 2024, and biannually thereafter, that includes specific data about who is being investigated by the Office.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame, Nguyen, Warnick and Wilson, J..

Staff: Alison Mendiola (786-7488)

Background: The Legislature created the Office of Fraud and Accountability (Office) within the Department of Social and Health Services (DSHS) in 2008. The purpose of the Office is to detect, investigate, and prosecute any act prohibited or declared to be unlawful in the public assistance programs administered by DSHS.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The Office is to:

- conduct independent and objective investigations into allegations of fraud and abuse, make appropriate referral to law enforcement when there is substantial evidence of criminal activity, and recover overpayment whenever possible and to the greatest possible degree;
- recommend policies, procedures, and best practices designed to detect and prevent fraud and abuse, and to mitigate the risk for fraud and abuse and assure that public assistance benefits are being used for their statutorily stated goals;
- analyze cost-effective, best practice alternatives to the current cash benefit delivery system consistent with federal law to ensure that benefits are being used for their intended purposes; and
- use best practices to determine appropriate utilization and deployment of investigative resources, ensure that resources are deployed in a balanced and effective manner, and use all available methods to gather evidence necessary for proper investigation and successful prosecution.

Summary of Bill: To increase accountability and transparency, the Office is to submit a report to the Legislature by December 1, 2024, and biannually thereafter, that includes at a minimum, the following information:

- racially disaggregated data on who is being investigated, compared with their percentage of the population on benefits;
- financial data regarding expenditures on investigations, recovered funds, and impacts to programs and caseload;
- findings regarding internal patterns of referrals which may be contributing to disparities; and
- any other information deemed relevant by DSHS, including potential recommendation to address disparities in program policy and practice.

Appropriation: None.

Fiscal Note: Requested on January 23, 2024.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There is a pattern of the Office of Fraud and Accountability going after overrepresented populations and recouping very little, 15 percent. These are safety net programs and it appears the most marginalized populations are being targeted. Having this data and transparency within the Office of Fraud and Accountability will go a long way towards building trust in the community.

Persons Testifying: PRO: Senator Yasmin Trudeau, Prime Sponsor; April Mazur, Benefits

Legal Assistance at Solid Ground; Lianna Kressin, Statewide Poverty Action Network .

Persons Signed In To Testify But Not Testifying: No one.