5978-S.E AMH WILC ADAM 124

**ESSB 5978** - H AMD TO WAYS COMM AMD (H-4692.1/12) **1359**

By Representative Wilcox

**FAILED 03/08/2012**

 On page 6, line 20 of the striking amendment, after "any" strike "qui tam relator or other"

 On page 7, beginning on line 3 of the striking amendment, strike all of subsections (13) and (14)

 On page 8, beginning on line 34 of the striking amendment, strike all of sections 205 through 208 and insert the following:

 "NEW SECTION. **Sec. 205.** Any person who is the original source of the information used by the attorney general to bring an action under section 202 of this act shall receive seventeen percent of any recovery by the attorney general in the action. As used in this section, "original source of information" means information no part of which has been previously disclosed to or known by the government or public. If the court finds that the person who was the original source of the information used by the attorney general to bring an action under section 202 of this act planned, initiated, or participated in the conduct upon which the action is brought, such person shall not be entitled to any percentage of the recovery obtained in such action."

 Renumber the remaining sections consecutively and correct internal references accordingly.

 On page 14, line 7 of the striking amendment, after "204" strike "or 205"

 On page 14, line 9 of the striking amendment, after "204" strike "or 205"

 On page 14, beginning on line 12 of the striking amendment, strike all of subsection (3)

 Renumber the remaining subsections consecutively and correct internal references accordingly.

 On page 14, line 18 of the striking amendment, after "204" strike "or 205"

 On page 14, line 27 of the striking amendment, after "204" strike "or 205"

 On page 14, line 29 of the striking amendment, after "204" strike "or 205"

 On page 15, line 4 of the striking amendment, after "204" strike "or 205"

 On page 15, beginning on line 5 of the striking amendment, strike all of subsection (3)

 On page 15, beginning on line 22 of the striking amendment, after "this act" strike all material through "this act" on line 23

 On page 16, beginning on line 2 of the striking amendment, after "served." strike all material through "investigation." on line 6

 On page 26, beginning on line 30 of the striking amendment, strike all of section 213

 Renumber the remaining sections consecutively and correct internal references accordingly.

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|  |  EFFECT:   Removes provisions of the bill authorizing qui tam actions to be brought by private individuals on behalf of the state and other provisions related to qui tam actions. Provides that a person who is the original source of information used by the Attorney General to bring an action under the Medicaid Fraud False Claims Act is entitled to receive 17 percent of any recovery by the Attorney General in the action. |

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