

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6051**

65th Legislature  
2018 Regular Session

Passed by the Senate March 5, 2018  
Yeas 49 Nays 0

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**President of the Senate**

Passed by the House February 27, 2018  
Yeas 96 Nays 2

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6051** as passed by Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6051**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

**State of Washington                      65th Legislature                      2018 Regular Session**

**By Senate Law & Justice (originally sponsored by Senators Dhingra, Keiser, Walsh, Frockt, Saldaña, Darneille, Pedersen, Conway, Kuderer, and Mullet; by request of Attorney General)**

READ FIRST TIME 01/26/18.

1            AN ACT Relating to the medicaid fraud control unit; and adding a  
2 new chapter to Title 74 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            NEW SECTION.        **Sec. 1.**        The legislature finds that medicaid  
5 provider fraud and the abuse and neglect of persons in nursing  
6 facilities, adult family homes, and long-term care services present a  
7 serious risk of harm to the people of the state of Washington in  
8 general and to vulnerable adults in particular. The legislature  
9 intends with this chapter to enable the medicaid fraud control unit  
10 within the office of the attorney general to achieve its limited but  
11 vital mission to detect, deter, and prosecute the specialized areas  
12 of medicaid fraud, abuse, and neglect in Washington's medicaid  
13 system. This jurisdiction will also facilitate the medicaid fraud  
14 control unit's capacity to fulfill its investigative and  
15 prosecutorial obligations under the federal grant, 42 U.S.C. Sec.  
16 1396b(q), to ensure that the federal grant funding requirements for  
17 Washington's medicaid program are met. Failure to meet these federal  
18 program integrity standards could jeopardize the federal funding for  
19 Washington's medicaid program. Furthermore, the legislature intends  
20 by this chapter that the medicaid fraud control unit will fully

1 coordinate its efforts with county and local prosecutors and law  
2 enforcement to maximize effectiveness and promote efficiency.

3 NEW SECTION. **Sec. 2.** (1) The attorney general shall establish  
4 and maintain within his or her office the medicaid fraud control  
5 unit.

6 (2) The attorney general shall employ and train personnel to  
7 achieve the purposes of this chapter, including attorneys,  
8 investigators, auditors, clerical support personnel, and other  
9 personnel as the attorney general determines necessary.

10 (3) The medicaid fraud control unit has the authority and  
11 criminal jurisdiction to investigate and prosecute medicaid provider  
12 fraud, abuse and neglect matters as enumerated in 42 U.S.C. Sec.  
13 1396b(q)(4) where authority is granted by the federal government, and  
14 other federal health care program fraud as set forth in 42 U.S.C.  
15 Sec. 1396b(q).

16 (4) The medicaid fraud control unit shall cooperate with federal  
17 and local investigators and prosecutors in coordinating local, state,  
18 and federal investigations and prosecutions involving fraud in the  
19 provision or administration of medical assistance, goods or services  
20 pursuant to medicaid, medicaid managed care, abuse and neglect  
21 matters as enumerated in 42 U.S.C. Sec. 1396b(q)(4), or medicare  
22 where such authority is obtained from the federal government, and  
23 provide those federal officers with any information in its possession  
24 regarding such an investigation or prosecution.

25 (5) The medicaid fraud control unit shall protect the privacy of  
26 patients and establish procedures to ensure confidentiality for all  
27 records, in accordance with state and federal laws, including but not  
28 limited to chapter 70.02 RCW and the federal health insurance  
29 portability and accountability act.

30 (6) The attorney general may appoint medicaid fraud control  
31 investigators to detect, investigate, and apprehend when it appears  
32 that a violation of criminal law relating to medicaid fraud, medicaid  
33 managed care fraud, medicare fraud, or abuse and neglect matters as  
34 enumerated in 42 U.S.C. Sec. 1396b(q)(4) has been or is about to be  
35 committed and specify the extent and limitations of the  
36 investigators' duties and authority in carrying out the limited scope  
37 and purposes of this chapter.

38 (7) The department of social and health services or law  
39 enforcement agencies that receive mandatory reports under RCW

1 74.34.035 may share such reports in a timely manner with the medicaid  
2 fraud control unit within the office of the attorney general.

3 NEW SECTION. **Sec. 3.** Sections 1 and 2 of this act constitute a  
4 new chapter in Title 74 RCW.

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