

AMENDMENTS TO HOUSE BILL NO. 108

Sponsor: REPRESENTATIVE GROVE

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1 Amend Bill, page 1, lines 2 and 3, by striking out "payments
2 by the Commonwealth" and inserting
3 improper payments

4 Amend Bill, page 1, lines 8 through 18; pages 2 through 4,
5 lines 1 through 30; page 5, lines 1 through 8; by striking out
6 all of said lines on said pages and inserting

7 PART IV
8 IMPROPER PAYMENTS

9 Chapter.

10 35. Do-Not-Pay Initiative.

11 CHAPTER 35
12 DO-NOT-PAY INITIATIVE

13 Sec.

14 3501. Definitions.

15 3502. Participation in initiative.

16 § 3501. Definitions.

17 The following words and phrases when used in this chapter
18 shall have the meanings given to them in this section unless the
19 context clearly indicates otherwise:

20 "Commonwealth agency." A department, agency or commission of
21 the Commonwealth under the policy supervision and control of the
22 Governor.

23 "Improper payment." A payment made by a Commonwealth agency
24 that:

25 (1) exceeds the amount a recipient should have received
26 from a Commonwealth agency;

27 (2) is less than the amount a recipient should have
28 received from the Commonwealth;

29 (3) is made to a recipient who is ineligible to receive
30 the payment from a particular Commonwealth program;

31 (4) is ineligible;

32 (5) is duplicative or redundant;

33 (6) is for a service which was never received; or

34 (7) is for a service that does not account for or was
35 not given any of the available credits or discounts available

1 for the service rendered.

2 "Initiative." The Do-Not-Pay Initiative established under
3 section 5 of the Improper Payments Elimination and Recovery
4 Improvement Act of 2012 (Public Law 112-248, 126 Stat. 2392).

5 "Payment." Money expended by the Commonwealth as part of the
6 operating budget for the Commonwealth.

7 "Secretary." The Secretary of the Budget of the
8 Commonwealth.

9 § 3502. Participation in initiative.

10 (a) Participation.--A Commonwealth agency that makes
11 payments by expending Federal funds shall enter into a
12 memorandum of understanding with the United States Treasury
13 Department to participate in the initiative. The participation
14 in the initiative by a Commonwealth agency shall include all of
15 the following:

16 (1) The use of the initiative's online interface to
17 verify the accuracy and integrity of payments issued by the
18 Commonwealth agency.

19 (2) An analytical review of the Commonwealth agency's
20 data through the initiative to improve the data collected by
21 the Commonwealth agency and the integrity of payments made by
22 the Commonwealth agency.

23 (b) Schedule.--The secretary shall establish a schedule to
24 ensure that each Commonwealth agency under subsection (a) has
25 entered into a memorandum of understanding to participate in the
26 initiative within two years of the effective date of this
27 section.

28 (c) Annual report.--A Commonwealth agency that participates
29 in the initiative shall provide an annual report about the
30 Commonwealth agency's participation in the initiative to the
31 following:

32 (1) The secretary.

33 (2) The Office of State Inspector General.

34 (3) The Department of Auditor General.

35 (4) The members of the General Assembly.

36 (5) The Legislative Budget and Finance Committee.

37 (d) Contents of report.--The annual report under subsection
38 (c) shall include analytical data obtained by a Commonwealth
39 agency as a result of participating in the initiative,
40 including, but not limited to, all of the following:

41 (1) The total number of improper payments identified by
42 the Commonwealth agency after participation in the
43 initiative.

44 (2) The total number of improper payments prevented by
45 the Commonwealth agency as a result of participating in the
46 initiative.

47 (3) The total amount of improper payments identified and
48 prevented by the Commonwealth agency after participating in
49 the initiative.

50 (4) The savings realized by the Commonwealth as a result
51 of the Commonwealth agency's participation in the initiative.

1 (5) Any weakness in the internal financial controls of
2 the Commonwealth agency identified through participation in
3 the initiative.

4 (6) Any changes made to programs operated by the
5 Commonwealth agency to improve payment accuracy and integrity
6 resulting from participation in the initiative.

7 (7) Recommendations to improve the Commonwealth agency's
8 payment accuracy and integrity, including legislative or
9 regulatory changes required to prevent improper payments and
10 improve payment accuracy and integrity.

11 Section 2. This act shall take effect in 90 days.