
HOUSE BILL 2583

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Hurst, Takko, Parker, Blake, Eddy, Finn, Anderson, Probst, Kelley, and Dahlquist

Read first time 01/18/12. Referred to Committee on Early Learning & Human Services.

1 AN ACT Relating to providing for reward for reporting public
2 assistance fraud; and amending RCW 74.04.012.

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

4 **Sec. 1.** RCW 74.04.012 and 2011 1st sp.s. c 42 s 22 are each
5 amended to read as follows:

6 (1) There is established an office of fraud and accountability
7 within the department for the purpose of detection, investigation, and
8 prosecution of any act prohibited or declared to be unlawful in the
9 public assistance programs administered by the department. The
10 secretary will employ qualified supervisory, legal, and investigative
11 personnel for the program. Program staff must be qualified by training
12 and experience.

13 (2) The director of the office of fraud and accountability is the
14 head of the office and is selected by the secretary and must
15 demonstrate suitable capacity and experience in law enforcement
16 management, public administration, and criminal investigations. The
17 director of the office of fraud and accountability shall:

18 (a) Report directly to the secretary; and

1 (b) Ensure that each citizen complaint, employee complaint, law
2 enforcement complaint, and agency referral is assessed and, when risk
3 of fraud or abuse is present, is fully investigated, and is referred
4 for prosecution or recovery when there is substantial evidence of
5 wrongdoing.

6 (3) The office shall:

7 (a) Conduct independent and objective investigations into
8 allegations of fraud and abuse, make appropriate referral to law
9 enforcement when there is substantial evidence of criminal activity,
10 and recover overpayment whenever possible and to the greatest possible
11 degree;

12 (b) Recommend policies, procedures, and best practices designed to
13 detect and prevent fraud and abuse, and to mitigate the risk for fraud
14 and abuse and assure that public assistance benefits are being used for
15 their statutorily stated goals;

16 (c) Analyze cost-effective, best practice alternatives to the
17 current cash benefit delivery system consistent with federal law to
18 ensure that benefits are being used for their intended purposes; and

19 (d) Use best practices to determine appropriate utilization and
20 deployment of investigative resources, ensure that resources are
21 deployed in a balanced and effective manner, and use all available
22 methods to gather evidence necessary for proper investigation and
23 successful prosecution.

24 (4) By December 31, 2011, the office shall report to the
25 legislature on the development of the office, identification of any
26 barriers to meeting the stated goals of the office, and recommendations
27 for improvements to the system and laws related to the prevention,
28 detection, and prosecution of fraud and abuse in public assistance
29 programs.

30 (5) The office shall establish a rewards program for reporting
31 fraud as defined in RCW 74.04.004. The program must include a reward
32 component for a private individual when the individual's reporting of
33 fraud results in a conviction under RCW 9.91.140, 9.91.142, 9.91.144,
34 9A.56.030, and 74.08.331. The reward may be up to fifty percent of the
35 amount determined to be fraudulent. The office may include a
36 determination that a reward be apportioned between persons. Once the

1 office authorizes a payment of reward, the identity of the person or
2 persons providing the report must be kept confidential.

--- END ---