



REPUBLICAN CAUCUS STAFF  
HOUSE OF REPRESENTATIVES  
STATE CAPITOL  
DES MOINES, IOWA 50319  
515.281.3440  
IOWAHOUSEREPUBLICANS.COM

## HOUSE REPUBLICAN STAFF ANALYSIS

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Bill: House File 389  
Committee: Human Resources  
Floor Manager: Representative Linda Miller  
Date: July 14, 2011  
Staff: Brad Trow (1-3471)

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### Recovering Investigation Costs in Medicaid Fraud Cases

House File 389 provides the Medicaid Fraud Control Unit in the Department of Inspections and Appeals with the tools necessary to recover the costs of investigations when a conviction is returned in Medicaid fraud case. The recovery of investigative costs is limited to those cases where a criminal conviction is obtained.

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### Summary of Action

**Committee Action** – The Human Resources Committee **PASSED** House Study Bill 89 (House File 389) on a vote of 19-0 on February 21, 2011.

**House Action** – The House **ADOPTED** House File 389 on a vote of 94-5 on March 9, 2011.

**Senate Action** – The Senate **ADOPTED** House File 389 on a vote of 49-0 on April 6, 2011.

**Final Action** – The Governor **SIGNED** House File 389 on April 13, 2011.

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### Section by Section Analysis

**Section 1** – The section amends Iowa Code section 249A.7 (3) to allow the Medicaid Fraud Account to receive funds recovered to pay for investigative costs from Medicaid fraud cases that result in a criminal conviction. The section also provides a definition for the term ‘investigative costs’.

**Section 2** – The section amends the definition of “restitution” in Iowa Code section 910.1 (4) to include the investigative costs of the Medicaid Fraud Control Unit.

**Section 3** – The section amends Iowa Code section 910.2(1) to include the investigative costs incurred by the Medicaid Fraud Control Unit in the list of restitution to be ordered at sentencing.