

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-4348 of the Code of Virginia and to amend the Code of Virginia by*  
3 *adding a section numbered 32.1-319.1, relating to Department of Medical Assistance Services; fraud*  
4 *prevention; prepayment analytics.*

5 [H 2417]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**

8 **1. That § 2.2-4348 of the Code of Virginia is amended and reenacted and that the Code of Virginia**  
9 **is amended by adding a section numbered 32.1-319.1 as follows:**

10 **§ 2.2-4348. Exemptions.**

11 The provisions of this article shall not apply to (i) the late payment provisions contained in any  
12 public utility tariffs prescribed by the State Corporation Commission or (ii) *payments for services*  
13 *provided under the state plan for medical assistance identified as potentially fraudulent, abusive, or*  
14 *erroneous in accordance with the program established pursuant to § 32.1-319.1 and delayed until such*  
15 *time as the claim can be validated.*

16 **§ 32.1-319.1. Department to establish program to use prepayment analytics to mitigate risk of**  
17 **improper payments.**

18 A. *The Department shall establish a program using prepayment analytics to mitigate the risk of*  
19 *improper payments to providers of services that are paid through the Department's fee-for-service*  
20 *delivery system who commit fraud, abuse, or errors. Such program shall include the use of predictive*  
21 *modeling, provider profiling, trend analysis, and other prepayment analytics to identify providers and*  
22 *claims with a high likelihood of fraud, abuse, or error and prevent payments on potentially fraudulent*  
23 *claims from being made until such claims have been validated.*

24 B. *The Department may enter into a contract or agreement with a vendor for the operation of the*  
25 *program to mitigate risk of improper payments to providers of services that are paid through the*  
26 *Department's fee-for-service delivery system required by this section.*

ENROLLED

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