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HOUSE JOINT RESOLUTION NO. 719

Offered January 14, 2009

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Establishing a joint subcommittee to study reducing Medicaid costs by increasing efficiencies and reducing fraud. Report.

Patron—Marshall, R.G.

Referred to Committee on Rules

WHEREAS, experts estimate that fraudulent Medicaid claims account for 10 percent of the program's total cost nationwide; and

WHEREAS, Virginia spends \$2.3 billion each year on its Medicaid program; and

WHEREAS, in light of the current budget crisis, Virginians cannot afford to lose money to fraudulent Medicaid claims; and

WHEREAS, the General Assembly recognized the importance of this issue when it created the Medicaid Fraud Control Unit in 1982, and there is still more that can be done; and

WHEREAS, in 2007 the federal government acknowledged the value in increasing efficiencies within the Medicaid system by awarding \$103 million to 27 states across the nation to fund implementation of new ways to improve Medicaid efficiency, economy, and quality of care; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study reducing Medicaid costs by increasing efficiencies and reducing fraud. The joint subcommittee shall have a total membership of 15 members that shall consist of 12 legislative members and three nonlegislative citizen members. Members shall be appointed as follows: seven members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; five members of the Senate to be appointed by the Senate Committee on Rules; two nonlegislative citizen members, one of whom shall be a private provider of Medicaid services and one of whom shall be a representative of the Department of Medical Assistance Services, to be appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member, who shall be a Medicaid consumer, to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice chairman from among its membership, who shall be members of the General Assembly.

In conducting its study, the joint subcommittee shall (i) examine the success of the Medicaid Fraud Control Unit; (ii) research methods of controlling Medicaid fraud that are used in other states; (iii) investigate additional solutions to controlling fraud in the Commonwealth; (iv) consider new technological advances used in other states to reduce costs within the Medicaid program; and (v) explore other ways of increasing efficiency within the system.

Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates. Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be provided by the Division of Legislative Services. Technical assistance shall be provided by the Department of Medical Assistance Services. All agencies of the Commonwealth shall provide assistance to the joint subcommittee for this study, upon request.

The joint subcommittee shall be limited to four meetings for the 2009 interim and four meetings for the 2010 interim, and the direct costs of this study shall not exceed \$12,800 for each year without approval as set out in this resolution. Approval for unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required.

No recommendation of the joint subcommittee shall be adopted if a majority of the House members or a majority of the Senate members appointed to the joint subcommittee (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the joint subcommittee.

The joint subcommittee shall complete its meetings for the first year by November 30, 2009, and for the second year by November 30, 2010, and the chairman shall submit to the Division of Legislative

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59 Automated Systems an executive summary of its findings and recommendations no later than the first
60 day of the next Regular Session of the General Assembly for each year. Each executive summary shall
61 state whether the joint subcommittee intends to submit to the General Assembly and the Governor a
62 report of its findings and recommendations for publication as a House or Senate document. The
63 executive summaries and reports shall be submitted as provided in the procedures of the Division of
64 Legislative Automated Systems for the processing of legislative documents and reports and shall be
65 posted on the General Assembly's website.

66 Implementation of this resolution is subject to subsequent approval and certification by the Joint
67 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or
68 delay the period for the conduct of the study, or authorize additional meetings during the 2009 and 2010
69 interims.