

**REVENUE:** No revenue impact

**FISCAL:** Minimal fiscal impact, no statement issued

---

<b>Action:</b>	Do Pass the A-Engrossed Measure
<b>Vote:</b>	3 - 2 - 0
<b>Yeas:</b>	Bonamici, Dingfelder, Prozanski
<b>Nays:</b>	Boquist, Whitsett
<b>Exc.:</b>	0
<b>Prepared By:</b>	Lisa Nuss, Counsel
<b>Meeting Dates:</b>	5/19

---

**WHAT THE MEASURE DOES:** Authorizes civil actions against persons who make false claims for money or benefits from a state agency, or otherwise knowingly defraud a state agency. Provides that court shall award to the state all damages arising from a false claim, plus a penalty equal to the greater amount of \$10,000 for each violation or twice the amount of damages incurred for each violation. Provides that funds for prosecuting these violations shall come from the Consumer Protection and Education Revolving Account in the General Fund, and monies recouped go back into that fund.

**ISSUES DISCUSSED:**

- Problem arises from contractors submitting fraudulent invoices, or from patients or providers submitting improper Medicaid claims, for example
- Goal is to preserve tax dollars, deter fraud, and punish offenders
- Modeled after federal False Claims Act; 22 states have a similar act

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Creates a civil cause of action in cases where a person has made a fraudulent claim for benefits, property, money or services from the State of Oregon. Provides that an attempt to repay amounts obtained in violation of the statute, or lack of payment on the part of the state, is not a defense. The Attorney General must file an action within three years from the time the state agency knew of, or reasonably should have discovered, the fraud. In no event may an action be brought more than 10 years after the date on which the violation was committed.

[5/27/2009 11:19:00 AM](#)

*This summary has not been adopted or officially endorsed by action of the committee.*

Committee Services Form - 2009 Regular Session

Deleted: 5/21/2009 2:48:00 PM