

# House Bill 2721

Sponsored by Representatives HANNA, WHISNANT

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires public employees involved in administration of public assistance programs to report suspected fraud using procedures adopted by Department of Human Services or Oregon Health Authority.

Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to reporting fraud; amending ORS 411.630; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 411.630 is amended to read:

5 411.630. (1) A person may not knowingly obtain or attempt to obtain, for the benefit of the per-  
6 son or of another person, any public assistance to which the person or other person is not entitled  
7 under state law by means of:

8 (a) Any false representation or fraudulent device[,]; or

9 (b) Failure to immediately notify the Department of Human Services or the Oregon Health Au-  
10 thority, if required, of the receipt or possession of property or income, or of any other change of  
11 circumstances, [*which*] **that** directly affects the eligibility for, or the amount of, the assistance.

12 (2) A person may not transfer, conceal or dispose of any money or property with the intent:

13 (a) To enable the person to meet or appear to meet any requirement of eligibility prescribed by  
14 state law or by rule of the department or the authority for any type of general assistance or public  
15 assistance; or

16 (b) Except as to a conveyance by the person to create a tenancy by the entirety, to hinder or  
17 prevent the department or the authority from recovering any part of any claim it may have against  
18 the person or the estate of the person.

19 (3) A person may not knowingly aid or abet any person to violate any provision of this section.

20 (4) A person may not receive, possess or conceal any money or property of an applicant for or  
21 recipient of any type of general assistance or public assistance with the intent to enable the appli-  
22 cant or recipient to meet or appear to meet any requirement of eligibility referred to in subsection  
23 (2)(a) of this section or, except as to a conveyance by the applicant or recipient to create a tenancy  
24 by the entirety, with the intent to hinder or prevent the department or the authority from recover-  
25 ing any part of any claim it may have against the applicant or recipient or the estate of the appli-  
26 cant or recipient.

27 **(5) Any public employee involved in the administration of public assistance programs who**  
28 **has cause to believe that a person is violating this section must make a report in accordance**  
29 **with procedures that shall be adopted by the department or the authority to facilitate public**  
30 **employee reporting of violations of this section.**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1        **SECTION 2. This 2013 Act being necessary for the immediate preservation of the public**  
2        **peace, health and safety, an emergency is declared to exist, and this 2013 Act takes effect**  
3        **on its passage.**

4

---