

STAND. COM. REP. NO.

309

Honolulu, Hawaii

Feb 12, 2007

RE: H.B. No. 1258

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 1258 entitled:

"A BILL FOR AN ACT RELATING TO ACTIONS FOR FALSE CLAIMS TO THE STATE,"

begs leave to report as follows:

The purpose of this bill is to ensure a ten percent increase in the State's share of recoveries in actions for false claims against the Medicaid program by bringing the State's false claims law into compliance with the federal requirement that state law provide a cause of action for persons who suffer retribution or discrimination from employers for reporting violations of the false claims law.

The Department of the Attorney General and Department of Human Services testified in support of this measure.

Your Committee finds that a State must share proceeds recovered from actions relating to Medicaid fraud, with the federal government in the same proportion as the federal government's share of the cost of the Medicaid program. The federal Deficit Reduction Act of 2005 allows a State to receive a ten percent increase in its share of recoveries for false Medicaid claims, if the State's false claims law meets certain requirements. One such federal requirement is that the state law provides a cause of action for individuals who suffer retribution from employers due to the individuals' reporting of violations of

HB1258 HSCR LAB HMS 2007-1854



the false claims law. This bill would bring Hawaii's false claims law into compliance with that federal requirement.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1258 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Public
Employment,



ALEX M. SONSON, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 309

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: <div style="text-align: right; margin-left: 100px;">HB 1258</div>		Date: <div style="text-align: center; font-size: 1.2em;">2 - 2 - 07</div>		
Committee Referral: <div style="text-align: right; margin-left: 100px;">LAB, JUD</div>		<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.		
The recommendation is to: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="width: 45%;"> <input checked="" type="checkbox"/> Pass, unamended <input type="checkbox"/> Hold </div> <div style="width: 45%;"> <input type="checkbox"/> Pass, with amendments <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration </div> </div>				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. SONSON, Alex M. (C)	✓			
2. NAKASONE, Bob (VC)	✓			
3. EVANS, Cindy	✓			
4. HAR, Sharon E.				✓
5. LEE, Marilyn B.	✓			
6. LUKE, Sylvia	✓			
7. McKELVEY, Angus L.K.	✓			
8. NISHIMOTO, Scott Y.	✓			
9. SOUKI, Joseph M.	✓			
10. TAKAMINE, Dwight Y.	✓			
11. TAKUMI, Roy M.	✓			
12. MEYER, Colleen Rose	✓			
13. PINE, Kymberly Marcos	✓			
TOTAL	12			1
The recommendation is: <div style="margin-left: 20px; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div> <p style="margin-left: 40px; margin-top: 10px;">If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small></p> <div style="margin-left: 20px; margin-top: 10px; font-family: cursive; font-size: 1.2em;"> </div>				
Vice Chair's or designee's signature: <div style="height: 40px; border-bottom: 1px solid black;"></div>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office				