

Honolulu, Hawaii

APR 25 2019

RE: S.B. No. 1176  
S.D. 2  
H.D. 1  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1176, S.D. 2, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to meet federal financial incentive requirements by:

- (1) Increasing the penalty amounts for false claims to the State to a minimum of \$11,463 and a maximum of \$22,927; and
- (2) Requiring the state penalty amounts for the year 2020 and thereafter to be the same as, and for the same effective dates as, the federal penalty amounts adjusted and adopted by the United States Department of Justice.



Your Committee on Conference finds that section 1909 of the Social Security Act provides a ten-percentage-point increase in the State's share of any amount recovered in a state action under a false or fraudulent claim if the State has a false claims act that meets the requirements set forth in section 1909. Section 1909 further requires that the State's false or fraudulent claims law contain a civil penalty that is not less than the amount provided under federal law. This measure brings Hawaii's false claims act into compliance with section 1909 of the federal Social Security Act.

Your Committee on Conference has amended this measure by making it effective upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1176, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1176, S.D. 2, H.D. 1, C.D. 1.


Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE


ON THE PART OF THE SENATE



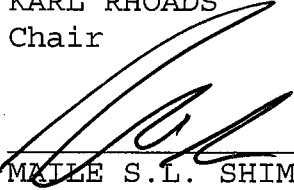
JOY A. SAN BUENAVENTURA  
Co-Chair



KARL RHOADS  
Chair



SCOT Z. MATAYOSHI  
Co-Chair



MAILE S.L. SHIMABUKURO  
Co-Chair



Hawai'i State Legislature

Record of Votes of a  
Conference Committee

CCR 34

Bill / Concurrent Resolution No.: <b>SB 1176, SD 2, HD 1</b>	Date/Time: <b>4/23/19</b> <b>3:27 pm</b>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure


The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

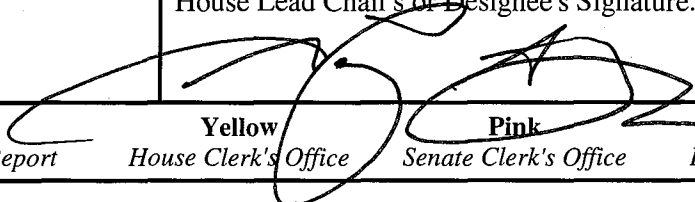
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				SAN BUENAVENTURA, Joy A., Co-Chr.	✓			
SHIMABUKURO, Maile S.L., Co-Chr.	✓				MATAYOSHI, Scot Z., Co-Chr.	✓			
KIM, Donna Mercado	✓				THIELEN, Cynthia				✓
FEVELLA, Kurt				✓					
<b>TOTAL</b>	<b>3</b>	<b>-</b>	<b>-</b>	<b>1</b>	<b>TOTAL</b>	<b>2</b>	<b>-</b>	<b>-</b>	<b>1</b>

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is:  
 Adopted       Not Adopted

House Recommendation is:  
 Adopted       Not Adopted

Senate Lead Chair's or Designee's Signature:  


House Lead Chair's or Designee's Signature:  


Distribution:      Original      Yellow      Pink      Goldenrod  
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