



AUG - 7 2007

The Honorable Andrew M. Cuomo
New York State Attorney General
120 Broadway
New York, NY 10271

Dear Mr. Cuomo:

The Office of Inspector General (OIG) of the Department of Health and Human Services (HHS) has received your request to review the New York False Claims Act, N.Y. State Fin. Law §§ 187 - 194, under the requirements of section 6031(b) of the Deficit Reduction Act (DRA). Section 6031 of the DRA provides a financial incentive for states to enact laws that establish liability to the state for individuals and entities that submit false or fraudulent claims to the state Medicaid program. For a state to qualify for this incentive, the state law must meet certain requirements enumerated under section 6031(b) of the DRA, as determined by the Inspector General of HHS in consultation with the Department of Justice (DOJ). Based on our review of the law and consultation with DOJ, we have determined that the New York False Claims Act meets the requirements of section 6031(b) of the DRA.

Please note that a state that has a law in effect that meets the requirements of section 6031(b) of the DRA will be deemed in compliance with such requirements for so long as the law continues to meet such requirements. We would appreciate it if you would notify OIG of any amendment to the New York False Claims Act within 30 days after such amendment.

If you have any questions regarding this review, please contact me, or have your staff contact Susan Gillin at 202-619-2078 or susan.gillin@oig.hhs.gov.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Levinson".

Daniel R. Levinson
Inspector General

cc: Aaron Blight, CMS
Robin L. Baker, Executive Deputy
Attorney General for Criminal Justice