



MAR 13 2007

Washington, D.C. 20201

The Honorable Mark J. Bennett
Attorney General
State of Hawaii
425 Queen Street
Honolulu, Hawaii 96813

Dear Attorney General:

The Office of Inspector General (OIG) of the U.S. Department of Health and Human Services (HHS) has received your request to review Hawaii's false claims statute, Haw. Rev. Stat. §§ 661-21 to -29, along with Hawaii's Whistleblowers' Protection Act, Haw. Rev. Stat. §§ 378-61 to -69, 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 Hawaii's laws and in consultation with DOJ, we have determined that Hawaii's laws meet 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 the OIG of any amendment to Hawaii's laws within 30 days after such amendment.

If you have any questions regarding this review, please contact me, or your staff may contact Katie Arnholt at (202) 619-2078 or Katie.Arnholt@oig.hhs.gov.

Sincerely,

A handwritten signature in cursive script that reads "Daniel R. Levinson".

Daniel R. Levinson
Inspector General

cc: Aaron Blight, CMS