



JUN 20 2007

Mr. Patrick O'Connell
Assistant Attorney General
Chief, Civil Medicaid Fraud Section
Elder Law and Public Health Division
Office of the Attorney General, State of Texas
P.O. Box 12548
Austin, Texas 78711

Dear Mr. O'Connell:

The Office of Inspector General (OIG) of the U.S. Department of Health and Human Services (HHS) has received your request to review the Texas Medicaid Fraud Prevention Act, Tex. Hum. Res. Code Ann. §§ 36.001 – 36.132, as amended by 2007 Texas S.B. 362 on May 4, 2007, 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 Texas Medicaid Fraud Prevention Act meets the requirements of section 6031(b) of the DRA.

Please note that a state law's compliance with section 6031(b) of the DRA may change if that law is later amended. Consequently, we would appreciate it if you would notify OIG of any amendment to the Texas Medicaid Fraud Prevention within 30 days after such amendment.

If you have any questions regarding this review, please contact me, or have your staff contact Roderick Chen at 202-619-2078 or roderick.chen@oig.hhs.gov.

Sincerely,

Daniel R. Levinson
Inspector General

cc: Aaron Blight, CMS