

# **Mason County Indigent Health Care Fraud Policy**

## **Definition**

Fraud is the deliberate misrepresentation of some material fact for the purpose of acquiring benefits.

## **Procedure**

When the Mason County Indigent Health Care Program (MCIHCP) staff has reason to believe that fraud may have occurred, the following procedures shall be followed:

1. The MCIHCP staff shall investigate all cases of suspected fraud and collect and document evidence.
2. Upon a finding of fraud, the client shall be administratively ineligible from MCIHCP as follows:

First Offense:	24 months from the date fraud was discovered
Second Offense:	36 months from the date fraud was discovered
Third Offense:	48 months from the date fraud was discovered
3. The MCIHCP staff shall contact the client who is suspected of fraud by sending a certified letter informing the client of the withdrawal of eligibility and explaining the allegations. If the client disputes the allegations, the client will be allowed to submit applicable supporting documents/verifications for further consideration.
4. If the dispute remains unresolved, the MCIHCP staff shall schedule an administrative hearing to allow the client to defend himself by confronting any adverse witness and by presenting his own argument and evidence. The MCIHCP staff must disclose any evidence used to prove its case to the client so he has the opportunity to dispute it. The administrative hearing will be conducted by the Mason County Judge with the Coordinator of the MCIHCP present. The administrative hearing shall be held at the office of the Mason County Judge during normal business hours. The client shall be given thirty (30) days written notice of the date of administrative hearing. The burden of proof lies with the MCIHCP. If the client does not appear at the administrative hearing, the MCIHCP Coordinator may proceed with presentation of the MCIHCP's case only if proof of notice is present. The Mason County Judge will make a final decision within ninety (90) days of the hearing.

## **Consequence of Fraud**

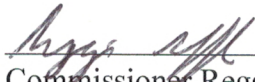
If, after due process, a person is found to have intentionally misrepresented information in order to received benefits, that person:

- shall reimburse Mason County for the cost of benefits the client was ineligible to receive;
- shall be administratively ineligible for MCIHCP benefits in accordance with the MCIHCP policies and procedures; and
- may be subject to prosecution under the Texas Penal Code.

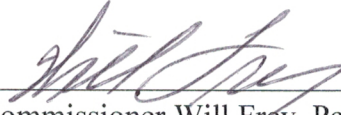
Adopted by the Mason County Commissioners Court on the 10<sup>th</sup> day of September, 2018.



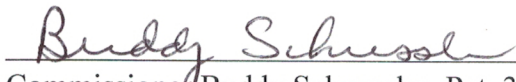
County Judge Jerry Bearden



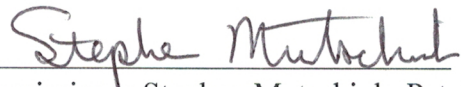
Commissioner Reggie Loeffler, Pct. 1



Commissioner Will Frey, Pct. 2



Commissioner Buddy Schuessler, Pct. 3



Commissioner Stephen Mutschink, Pct. 4

ATTEST:



Pam Beam, County Clerk

Continue to use - no change for the 2019-2020 year.