

PUBLIC ASSISTANCE FRAUD AMENDMENTS

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: John Dougall

LONG TITLE

General Description:

This bill modifies provisions relating to public assistance fraud.

Highlighted Provisions:

This bill:

- ▶ requires both earned and unearned income to be disclosed when an individual applies for public assistance; and
- ▶ allows the state agency administering the public assistance to request additional information it considers necessary to determine eligibility.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

76-8-1203, as last amended by Laws of Utah 2006, Chapter 80

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-8-1203** is amended to read:

76-8-1203. Disclosure required -- Penalty.

(1) Each person who applies for public assistance shall disclose to the state agency administering the public assistance each fact that may materially affect the determination of the person's eligibility to receive public assistance, including the person's current:

- 30 (a) marital status;
- 31 (b) household composition;
- 32 (c) employment;
- 33 (d) earned and unearned income, as defined by rule;
- 34 (e) receipt of monetary and in-kind gifts~~[, which would]~~ that may affect the person's
- 35 eligibility; ~~[and]~~
- 36 (f) assets~~[, which would]~~ that may affect the person's eligibility[-]; and
- 37 (g) any other material fact or change in circumstance that may affect the determination
- 38 of that person's eligibility to receive public assistance benefits, or may affect the amount of
- 39 benefits for which the person is eligible.

40 (2) A person applying for public assistance who intentionally, knowingly, or recklessly

41 fails to disclose a material fact required to be disclosed under Subsection (1) is guilty of public

42 assistance fraud as provided in Section 76-8-1206.

43 (3) With the exception of a client receiving public assistance from the Department of

44 Workforce Services or the Department of Health, a client who intentionally, knowingly, or

45 recklessly fails to disclose to the state agency administering the public assistance a change in a

46 material fact required to be disclosed under Subsection (1), within 10 days after the date of the

47 change, is guilty of public assistance fraud as provided in Section 76-8-1206.

48 (4) A client who intentionally, knowingly, or recklessly fails to disclose to the

49 Department of Workforce Services or the Department of Health at the time of a review or

50 recertification, whichever comes first, a change in a material fact required to be disclosed

51 under Subsection (1) is guilty of public assistance fraud as provided in Section 76-8-1206.