

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS45258-MR-99

Short Title: SHP Combat Fraud and Abuse Incentives. (Public)

Sponsors: Senator Burgin (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE NORTH CAROLINA STATE HEALTH PLAN FOR TEACHERS
3 AND STATE EMPLOYEES TO ADOPT A PROGRAM TO INCENTIVIZE PLAN
4 MEMBERS TO REPORT ACTIVITIES SUCH AS FRAUD, WASTE, AND ABUSE BY
5 HEALTH CARE PROVIDERS PROVIDING SERVICES TO PLAN MEMBERS.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 135-48.15 reads as rewritten:

8 "**§ 135-48.15. Whistle-blower protections related to the State Health Plan.**

9 (a) Statement of Public Policy. – It is the policy of this State that persons shall be
10 encouraged to report verbally or in writing to the State Health Plan, Attorney General, or other
11 appropriate authority evidence of activity related to the State Health Plan and involving the
12 following:

13 (1) A violation of State or federal law, rule, or regulation.

14 (2) Fraud.

15 (3) Misappropriation of State resources.

16 (4) Gross mismanagement, a gross waste of monies, or gross abuse of authority.

17 Further, it is the policy of this State that persons shall be free of intimidation or harassment when
18 reporting matters of public concern related to the State Health Plan, including offering testimony
19 to or testifying before appropriate legislative panels.

20 (a1) Rules to Further Public Policy. – In accordance with G.S. 135-48.25, the State
21 Treasurer may adopt rules to assist in the identification and investigation of activities described
22 under subsection (a) of this section undertaken by a health care provider that provides services
23 to Plan members. If the Plan adopts a program to encourage its members to report these activities,
24 then the Plan is authorized to expend State funds in furtherance of the policy objectives of this
25 section and may adopt rules to offer an incentive to Plan members of up to two percent (2%) of
26 any net recovery made by the Plan resulting from the member report.

27"

28 **SECTION 2.** This act is effective when it becomes law.

