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P.L. 1999, CHAPTER 309, *approved January 4, 2000*
Assembly, No. 1525

1 **AN ACT** concerning general public assistance and supplementing
2 P.L.1947, c.156 (C.44:8-107 et seq.).

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. A person who willfully obtains benefits to which he is not
8 entitled and a provider who willfully receives payments to which he is
9 not entitled under the "Work First New Jersey General Public
10 Assistance Act," P.L.1947, c.156 (C.44:8-107 et seq.), shall be subject
11 to the applicable civil and criminal penalties contained in the "New
12 Jersey Medical Assistance and Health Services Act," P.L.1968, c.413
13 (C.30:4D-1 et seq.).

14

15 2. This act shall take effect immediately

16

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19

20 Provides for civil and criminal penalties for fraud in GA program.

ASSEMBLY, No. 1525

STATE OF NEW JERSEY 208th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 1998 SESSION

Sponsored by:

Assemblyman JOSEPH R.MALONE, III
District 30 (Burlington, Monmouth and Ocean)
Assemblyman MELVIN COTTRELL
District 30 (Burlington, Monmouth and Ocean)

Co-Sponsored by:

Assemblyman Blee

SYNOPSIS

Provides for civil and criminal penalties for fraud in GA program.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/17/1998)

1 AN ACT concerning general public assistance and supplementing
2 P.L.1947, c.156 (C.44:8-107 et seq.).

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5 of New Jersey:

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12 Jersey Medical Assistance and Health Services Act," P.L.1968, c.413
13 (C.30:4D-1 et seq.).

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STATEMENT

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20 This bill provides that a person who willfully obtains benefits to
21 which he is not entitled and a provider who willfully receives payments
22 to which he is not entitled under the "Work First New Jersey General
23 Public Assistance Act," P.L.1947, c.156 (C.44:8-107 et seq.), shall be
24 subject to the applicable civil and criminal penalties contained in the
25 "New Jersey Medical Assistance and Health Services Act," P.L.1968,
26 c.413 (C.30:4D-1 et seq.). A similar provision exists under current
27 law, section 10 of P.L.1978, c.171 (C.30:4D-33), for violations of the
28 "Pharmaceutical Assistance to the Aged and Disabled" program.

29 Section 17 of the "New Jersey Medical Assistance and Health
30 Services Act," P.L.1968, c.413 (C.30:4D-17) provides for the
31 imposition of a penalty of not more than \$10,000 or imprisonment for
32 not more than three years or both, for a conviction of willfully
33 receiving benefits, in the case of recipients, or payments in the case of
34 providers, to which a person is not entitled.

35 In addition, section 17 of P.L.1968, c.413 allows for the imposition
36 of civil penalties of payment of interest on the amount of excess
37 benefits or payments made, payment of up to three times the amount
38 of excess benefits or payments made, and payment in the amount of
39 \$2,000 for each excessive claim for assistance, benefits or payments.

ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1525

STATE OF NEW JERSEY

DATED: DECEMBER 3, 1998

The Assembly Senior Issues and Community Services Committee reports favorably Assembly Bill No. 1525.

This bill provides that a person who willfully obtains benefits to which he is not entitled and a provider who willfully receives payments to which he is not entitled under the "Work First New Jersey General Public Assistance Act," shall be subject to the applicable civil and criminal penalties contained in the "New Jersey Medical Assistance and Health Services Act," (Medicaid) N.J.S.A.30:4D-1 et seq. A similar provision exists under current law for violations of the "Pharmaceutical Assistance to the Aged and Disabled" program (N.J.S.A.30:4D-33).

N.J.S.A.30:4D-17 of the "New Jersey Medical Assistance and Health Services Act," provides for the imposition of a penalty of not more than \$10,000 or imprisonment for not more than three years or both, for a conviction of willfully receiving benefits, in the case of recipients, or payments in the case of providers, to which a person is not entitled. In addition, that law allows for the imposition of civil penalties of payment of interest on the amount of excess benefits or payments made, payment of up to three times the amount of excess benefits or payments made, and payment in the amount of \$2,000 for each excessive claim for assistance, benefits or payments.

This bill was prefiled for introduction in the 1998-1999 session pending technical review. As reported, the bill includes changes required by technical review which has been performed.

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND
HUMAN SERVICES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1525

STATE OF NEW JERSEY

DATED: SEPTEMBER 27, 1999

The Senate Senior Citizens, Veterans' Affairs and Human Services Committee reports favorably Assembly Bill No. 1525.

This bill provides that a person who willfully obtains benefits to which he is not entitled and a provider who willfully receives payments to which he is not entitled under the "Work First New Jersey General Public Assistance Act," shall be subject to the applicable civil and criminal penalties contained in the "New Jersey Medical Assistance and Health Services Act," (Medicaid) N.J.S.A.30:4D-1 et seq. A similar provision exists under current law for violations of the "Pharmaceutical Assistance to the Aged and Disabled" program (N.J.S.A.30:4D-33).

N.J.S.A.30:4D-17 of the "New Jersey Medical Assistance and Health Services Act," provides for the imposition of a penalty of not more than \$10,000 or imprisonment for not more than three years or both for a conviction of willfully receiving benefits, in the case of recipients, or payments in the case of providers, to which a person is not entitled. In addition, that law allows for the imposition of civil penalties of: payment of interest on the amount of excess benefits or payments made, payment of up to three times the amount of excess benefits or payments made, and payment in the amount of \$2,000 for each excessive claim for assistance, benefits or payments.

As reported, this bill is identical to Senate Bill No. 707 (Singer/Bark), which the committee also reported favorably on this date.

FISCAL NOTE

ASSEMBLY, No. 1525

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: OCTOBER 5, 1998

Assembly Bill No. 1525 of 1998 provides that a person who willfully obtains benefits to which he is not entitled and a provider who willfully receives payments to which he is not entitled under the "Work First New Jersey General Public Assistance Act," P.L.1947, c.156 (C.44:8-107 et seq.), shall be subject to the applicable civil and criminal penalties contained in the "New Jersey Medical Assistance and Health Services Act," P.L.1968, c.413 (C.30:4D-1 et seq.).

The "New Jersey Medical Assistance and Health Services Act" provides for the imposition of a penalty of not more than \$10,000 or imprisonment for not more than three years or both, for a conviction of willfully receiving benefits, in the case of recipients, or payments in the case of providers, to which a person is not entitled. In addition, the act allows for the imposition of civil penalties of payment of interest on the amount of excess benefits or payments made, payment of up to three times the amount of excess benefits or payments made, and payment in the amount of \$2,000 for each excessive claim for assistance, benefits or payments.

The Administrative Office of the Courts (AOC) states that currently, no data are collected on the number of people charged under N.J.S.A.30:4D-2. Rather, people guilty of this offense are charged under N.J.S.A.2C:20-4 (theft by deception). Based on data collected for the first nine months of calendar year 1997, it can be estimated that approximately 895 individuals annually would be charged under N.J.S.A.2C:20-4. However, since this charge encompasses several crimes, it can be concluded that the total number of people affected by the provisions of this bill will be significantly smaller than the 895 estimation. Therefore, the AOC is unable to predict the revenue to be generated or the impact of this bill on the court system.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 707

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED FEBRUARY 23, 1998

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Burlington, Monmouth and Ocean)

Senator MARTHA W. BARK

District 8 (Atlantic, Burlington and Camden)

Co-Sponsored by:

Senator Sinagra

SYNOPSIS

Provides for civil and criminal penalties for fraud in GA program.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/1/1999)

1 AN ACT concerning general public assistance and supplementing
2 P.L.1947, c.156 (C.44:8-107 et seq.).

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26 c.413 (C.30:4D-1 et seq.). A similar provision exists under current
27 law, section 10 of P.L.1978, c.171 (C.30:4D-33), for violations of the
28 "Pharmaceutical Assistance to the Aged and Disabled" program.

29 Section 17 of the "New Jersey Medical Assistance and Health
30 Services Act," P.L.1968, c.413 (C.30:4D-17) provides for the
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33 receiving benefits, in the case of recipients, or payments in the case of
34 providers, to which a person is not entitled.

35 In addition, section 17 of P.L.1968, c.413 allows for the imposition
36 of civil penalties of payment of interest on the amount of excess
37 benefits or payments made, payment of up to three times the amount
38 of excess benefits or payments made, and payment in the amount of
39 \$2,000 for each excessive claim for assistance, benefits or payments.

SENATE SENIOR CITIZENS, VETERANS' AFFAIRS AND
HUMAN SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 707

STATE OF NEW JERSEY

DATED: SEPTEMBER 27, 1999

The Senate Senior Citizens, Veterans' Affairs and Human Services Committee reports favorably Senate Bill No. 707.

This bill provides that a person who willfully obtains benefits to which he is not entitled and a provider who willfully receives payments to which he is not entitled under the "Work First New Jersey General Public Assistance Act," shall be subject to the applicable civil and criminal penalties contained in the "New Jersey Medical Assistance and Health Services Act," (Medicaid) N.J.S.A.30:4D-1 et seq. A similar provision exists under current law for violations of the "Pharmaceutical Assistance to the Aged and Disabled" program (N.J.S.A.30:4D-33).

N.J.S.A.30:4D-17 of the "New Jersey Medical Assistance and Health Services Act," provides for the imposition of a penalty of not more than \$10,000 or imprisonment for not more than three years or both for a conviction of willfully receiving benefits, in the case of recipients, or payments in the case of providers, to which a person is not entitled. In addition, that law allows for the imposition of civil penalties of: payment of interest on the amount of excess benefits or payments made, payment of up to three times the amount of excess benefits or payments made, and payment in the amount of \$2,000 for each excessive claim for assistance, benefits or payments.

As reported, this bill is identical to Assembly Bill No. 1525 (Malone/Cottrell), which the committee also reported favorably on this date.

FISCAL NOTE

SENATE, No. 707

STATE OF NEW JERSEY

208th LEGISLATURE

DATED: SEPTEMBER 18, 1998

Senate Bill No. 707 of 1998 provides that a person who willfully obtains benefits to which he is not entitled and a provider who willfully receives payments to which he is not entitled under the "Work First New Jersey General Public Assistance Act," P.L.1947, c.156 (C.44:8-107 et seq.), shall be subject to the applicable civil and criminal penalties contained in the "New Jersey Medical Assistance and Health Services Act," P.L.1968, c.413 (C.30:4D-1 et seq.).

The "New Jersey Medical Assistance and Health Services Act" provides for the imposition of a penalty of not more than \$10,000 or imprisonment for not more than three years or both, for a conviction of willfully receiving benefits, in the case of recipients, or payments in the case of providers, to which a person is not entitled. In addition, the act allows for the imposition of civil penalties of payment of interest on the amount of excess benefits or payments made, payment of up to three times the amount of excess benefits or payments made, and payment in the amount of \$2,000 for each excessive claim for assistance, benefits or payments.

The Administrative Office of the Courts (AOC) states that currently, no data are collected on the number of people charged under N.J.S.A.30:4D-2. Rather, people guilty of this offense are charged under N.J.S.A.2C:20-4 (theft by deception). Based on data collected for the first nine months of calendar year 1997, it can be estimated that approximately 895 individuals annually would be charged under N.J.S.A.2C:20-4. However, since this charge encompasses several crimes, it can be concluded that the total number of people affected by the provisions of this bill will be significantly smaller than the 895 estimation. Therefore, the AOC is unable to predict the revenue to be generated or the impact of this bill on the court system.

The Office of Legislative Services concurs.

This fiscal note has been prepared pursuant to P.L.1980, c.67.

PO BOX 004
TRENTON, NJ 08625

Office of the Governor
NEWS RELEASE

CONTACT: Jayne O'Connor
Laura Otterbourg
609-777-2600

RELEASE: January 4, 2000

Governor Signs Bill Protecting dogs and Cats, Among Other Legislation

New Jersey is a dog's best friend - and a cat's too - thanks to the bill Governor Christie Whitman today signed prohibiting the sale of dog or cat fur and products made from it, and the sale of domestic dog or cat flesh for human consumption and its resulting products.

"Coming from a family of animal lovers, I can't imagine that we would even have needed a bill to protect our dogs and cats from such cruelty. When I became aware of the fact that there were dog and cat fur products on the market, it was something I wanted to stop here in New Jersey," said Gov. Whitman. "As I often say, I want to continue making our state the best place to live for our many faces - but one family - of New Jersey. My mission also applies to our beloved 'four-legged' friends."

According to Gov. Whitman, the bill was introduced following a television report on "Dateline" that covered a recent investigation by the Humane Society of the United States. The report showed that approximately two million dogs and cats are killed annually as part of an international trade of dog and cat fur products. It also found that there is an extensive international trade of dog and cat fur products and that the method of killing is exceedingly cruel.

Dogs and cats are defined as those animals that are generally recognized in the U.S. as household pets, excluding "wild" dogs and cats such as coyotes, foxes, lynxes or bobcats.

The bill, **S-1815**, was sponsored by Senators Edward T. O'Connor (D-Hudson) and William L. Gormley (R-Atlantic).

In addition, Gov. Whitman today signed the following legislation:

ACS for A-2463 and A-2496, sponsored by Assembly Members Louis D. Greenwald (D-Camden), Mary T. Previte (D-Camden), Guy F. Talarico (R-Bergen) and Rose Marie Heck (R-Bergen) and Senators Robert J. Martin (R-Essex/Morris/Passaic), John H. Adler (D-Camden) and Anthony R. Bucco (R-Morris), provides for the inclusion of students, who are "courtesy" bused because of hazardous route conditions, in the calculation of regular vehicle utilization for the purpose of state transportation aid.

S-342, sponsored by Senators Diane B. Allen (R-Burlington/Camden) and Louis F. Kosco (R-Bergen) and Assembly Members Carol J. Murphy (R-Essex/Morris/Passaic) and Loretta Weinberg (D-Bergen), establishes an Intergenerational Child Care Incentive Pilot Program. Its goal is to expand the availability of necessary child care services by encouraging the establishment of innovative employer-

community partnerships; using volunteer networks, such as retirees; and promoting intergenerational child care programs in retirement communities around the state. Specifically, this bill directs the Commissioner of the Department of Human Services to create a three-year Intergenerational Child Care Incentive Pilot Program in the Division of Family Development.

A-670, sponsored by Assembly Members John C. Gibson (R-Cape May/Atlantic/Cumberland) and Marion Crecco (R-Essex/Passaic), permits the application of certain tinting materials on motor vehicle windows and windshields for medical reasons. This bill was introduced at a constituent's request who suffers from a medical condition involving sensitivity to sun. Under previous law, all New Jersey drivers were prohibited from tinting their windows.

S-501, sponsored by Senator Andrew R. Ciesla (R-Monmouth/Ocean) and Assemblyman Louis D. Greenwald (D-Camden), permits certain motor vehicles to display rear license plate only. Two classes are exempt from displaying dual license plates under this bill including vehicles registered as historic and vehicles manufactured before 1945.

S-539, sponsored by Senators William L. Gormley (R-Atlantic) and James S. Cafiero (R-Cape May/Atlantic/Cumberland) and Assemblymen Kenneth LeFevre (R-Atlantic) and Francis J. Blee (R-Atlantic), increases the criminal penalties associated with using a body vest, sometimes referred to as a "bullet proof vest", in certain circumstances.

This bill changes the offense to a second degree crime when the vest was worn during the commission of a first degree crime. In all other circumstances, the offense will continue to be graded as a third-degree crime.

A-1525, sponsored by Assembly Members Joseph R. Malone III (R-Burlington/ Monmouth/ Ocean) and Melvin Cottrell (R-Burlington/Monmouth/Ocean) and Senators Robert W. Singer (R-Burlington/Monmouth/Ocean) and Martha W. Bark (R-Atlantic/Burlington/Camden), provides for civil and criminal penalties for fraud in the General Assistance program. The bill was introduced in order to deter individuals who obtain benefits and providers who receive payments from abusing the program.