STATE OF ILLINOIS

EXECUTIVE DEPARTMENT

SPRINGFIELD, ILLINOIS

FILED
EXECUTIVE DEPARTMENT
APR 05 2016
IN THE OFFICE OF
SECRETARY OF STATE

**EXECUTIVE ORDER** **2016-05**

## EXECUTIVE ORDER ESTABLISHING THE HEALTH CARE FRAUD ELIMINATION TASK FORCE

**WHEREAS,** State government-administered health care programs should operate in a transparent and efficient manner with the goal of delivering quality services while providing value to taxpayers; and

**WHEREAS,** fraud, waste, and abuse in State-administered health care programs increase the State's health care costs, resulting in a bad deal for taxpayers and less resources for critical services; and

**WHEREAS,** in fiscal year 2015, the State of Illinois spent over $19 billion on the State Employee Group Insurance Program and the State-administered Medicaid program; and

**WHEREAS,** the federal Department of Health and Human Services estimates that on a national level, over $29 billion of taxpayer funds are spent each year on improper Medicaid payments; and

**WHEREAS,** the private sector, the federal government, and other states across the country are beginning to employ innovative and comprehensive strategies to reduce fraud, waste, and abuse in health care programs; and

**WHEREAS,** current efforts led by various units across State government have been successful in recouping or avoiding unnecessary spending in certain State agencies and certain State health care programs; and

**WHEREAS,** notwithstanding these successes, a more comprehensive and cross-disciplinary approach is needed to harness the State's various fraud-prevention resources to further prevent and eliminate fraud, waste, and abuse and ensure that taxpayers are receiving the best return on investment for the State's fraud prevention efforts;

**THEREFORE,** I, Bruce Rauner, Governor of Illinois, by virtue of the executive authority vested in me by Section 8 of Article V of the Constitution of the State of Illinois, do hereby order as follows:

### I. CREATION

There is hereby established the Health Care Fraud Elimination Task Force (the "Task Force").

### II. PURPOSE

The purpose of the Task Force is to develop and coordinate a comprehensive effort to prevent and eliminate health care fraud, waste, and abuse in State-administered health care programs using a cross-agency, data-driven approach. Building on anti-fraud work being done across State agencies, the Task Force will develop strategies to ensure that the State has the proper internal controls and analysis and enforcement tools to prevent and eliminate fraud, waste, and abuse in

taxpayer-funded health care programs, including but not limited to the State Employees Group Insurance Program, the Workers' Compensation Program for State of Illinois agencies, boards, commissions, and universities, and the Illinois Medicaid system.

## III. DUTIES

The Task Force shall:

1. Identify and catalog the forms of health care fraud existing within State-administered health care programs and identify all Executive Branch agencies and resources currently involved or that should be involved in health care fraud prevention and enforcement.

2. Review best practices being utilized in the private sector, the federal government, and other states to prevent and reduce health care fraud, waste, and abuse and assess how those best practices could be applied to anti-fraud, waste, and abuse efforts in Illinois.

3. Explore the use of data analysis, predictive analytics, trend evaluation, and modeling approaches to better analyze and target oversight of State-administered health care programs.

4. Identify priority prevention and enforcement areas in order to ensure that the State's fraud prevention and enforcement efforts are providing the best return on investment for taxpayers.

5. Collaborate with industry experts to develop a multifaceted strategy to reduce the State's exposure to health care fraud and recover taxpayer funds that have been wrongly paid out as a result of fraud, waste, or abuse.

6. Analyze patterns of system-wide fraud, waste, and abuse in order to make recommendations to State agencies for improved internal controls to prevent future wrongdoing.

7. Work with other State agencies, boards, commissions, and task forces to obtain information and records necessary to carry out its duties.

8. Periodically report to the Governor and the public on the Task Force's fraud, waste, and abuse identification, prevention, and elimination efforts and activities.

## IV. COMPOSITION AND FUNCTION

1. The Task Force shall consist of:

    a. The Executive Inspector General for the Agencies of the Illinois Governor, who will serve as Chairman of the Task Force;
    b. The Deputy Governor;
    c. The Chief Compliance Officer;
    d. The Special Counsel and Policy Advisor to the Governor for Healthcare and Human Services;
    e. The Inspector General for the Department of Healthcare and Family Services;
    f. The Director of the State Police Medicaid Fraud Control Unit;
    g. The Director of the Department on Aging;
    h. The Director of the Department of Central Management Services;
    i. The Director of the Department of Healthcare and Family Services;
    j. The Secretary of the Department of the Human Services;
    k. The Secretary of the Department of Information Technology; and
    l. The Director of the Department of Insurance.

2. A majority of the members of the Task Force shall constitute a quorum, and all recommendations of the Task Force shall require approval of a majority of the total members of the Task Force. The Task Force shall conduct at least one public meeting each quarter.

3. The Governor's Office shall provide administrative support to the Task Force as needed, including with respect to compliance with State ethics laws and the Freedom of Information Act.

4. The Task Force shall submit an initial report to the Governor within six months of this Executive Order, outlining its initial fraud, waste, and abuse identification efforts. Thereafter, the Task Force shall submit periodic reports to the Governor and the public outlining its progress in preventing and eliminating health care fraud, waste, and abuse.

5. The Task Force may adopt whatever policies and procedures are necessary to carry out its duties and functions.

## V. TRANSPARENCY

In addition to whatever policies or procedures it may adopt, the Task Force shall be subject to the provisions of the Freedom of Information Act (5 ILCS 140). This section shall not be construed as to preclude other statutes from applying to the Task Force and its activities.

## VI. SAVINGS CLAUSE

This Executive Order does not contravene, and shall not be construed to contravene, any federal law, State statute, or collective bargaining agreement.

## VII. PRIOR EXECUTIVE ORDERS

This Executive Order supersedes any contrary provision of any other prior Executive Order.

## VIII. TERM

The Task Force shall be dissolved on June 30, 2019, subject to renewal by a succeeding Executive Order.

## IX. SEVERABILITY CLAUSE

If any part of this Executive Order is found invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect. The provisions of this Executive Order are severable.

## X. EFFECTIVE DATE

This Executive Order shall take effect immediately upon filing with the Secretary of State.

Bruce Rauner, Governor

Issued by Governor: April 5, 2016
Filed with Secretary of State: April 5, 2016