

AMENDMENTS TO LB 234

1 1. Strike the original sections and all amendments
2 thereto and insert the following new sections:

3 "Section 1. (1) The Department of Health and Human
4 Services shall establish an administrative disqualification process
5 for the aid to dependent children program described in section
6 43-512 and the child care subsidy program established pursuant to
7 section 68-1202. The department may initiate an administrative
8 disqualification proceeding when it has reason to believe, on the
9 basis of sufficient documentary evidence, that an individual has
10 committed an intentional program violation. Proceedings under this
11 section shall be subject to the Administrative Procedure Act.

12 (2) If an individual is found to have committed an
13 intentional program violation, a period of disqualification shall
14 be imposed. The period may be determined by the Director of Health
15 and Human Services after an administrative disqualification
16 hearing, or without a hearing if the individual waives his or her
17 right to such hearing. The period of disqualification shall be:
18 (a) For a first violation, up to one year; (b) for a second
19 violation, up to two years; and (c) for a third violation,
20 permanent disqualification. The penalties described in this
21 subsection shall also be imposed if the individual is found by a
22 court to have violated section 68-1017.

23 (3) For the aid to dependent children program, only the
24 individual found to have committed the intentional program

AM0589
LB 234
MHF-02-27

AM0589
LB 234
MHF-02-27

1 violation shall be disqualified under this section. For the child
2 care subsidy program, the individual found to have committed the
3 intentional violation shall disqualify such individual and his or
4 her family under this section. The department shall inform each
5 applicant in writing of the penalties described in this section for
6 intentional program violations each time an application for
7 benefits is made to either program.

8 (4) For purposes of this section, intentional program
9 violation means any action by an individual to intentionally (a)
10 make a false statement, either verbally or in writing, to obtain
11 benefits to which the individual is not entitled, (b) conceal
12 information to obtain benefits to which the individual is not
13 entitled, or (c) alter one or more documents to obtain benefits to
14 which the individual is not entitled.

15 (5) The department may adopt and promulgate rules and
16 regulations to carry out this section.

17 Sec. 2. This act becomes operative on January 1, 2004."