

**RED RIVER COUNTY INDIGENT HEALTH CARE  
FRAUD POLICY**

**Definition:** Fraud is the deliberate misrepresentation of some material fact for the purpose of acquiring benefits.

**Procedure:** When the Indigent Health Care (IHC) staff has reason to believe that fraud may have occurred, the following procedures shall be followed:

1. The IHC staff shall investigate all cases of suspected fraud and shall collect and document evidence.
2. Upon a finding of fraud, the client shall be administratively ineligible from IHC as follows:
  - First Offense 24 months from the date fraud was discovered.
  - Second Offense 36 months from the date fraud was discovered
  - Third Offense 48 months + 12 months per subsequent offense
3. The IHC staff shall contact the client who is suspected of fraud by sending a certified letter informing him of the withdrawal of eligibility and explaining the allegations. If the client disputes the allegations, the client will be allowed to submit applicable supporting documents/verifications for further consideration.
4. If the dispute remains unresolved, the IHC staff shall schedule an administrative hearing to allow the client to defend himself by confronting any adverse witness and by presenting his own argument and evidence. The IHC staff must disclose any evidence used to prove its case to the client so he has an opportunity to dispute it. The administrative hearing will be conducted by the County Judge with the IHC Eligibility Clerk and IHC Program Manager present. The administrative hearing shall be held at the Red River County Courthouse or at the County Annex during business hours. The client shall be given 30 days written notice of the date of the administrative hearing. The burden of proof lies with the IHC program. If the client does not appear at the administrative hearing the IHC Eligibility Clerk may proceed with presentation of their case only if proof of notice is present. The Judge hearing the case must make a decision within ninety days of the hearing. The Judge's decision is final.

**Consequence of Fraud:** If, after due process, a person is found to have intentionally misrepresented information in order to receive benefits, that person:

- Shall reimburse Red River County for the cost of benefits they were ineligible to receive.
- Shall be administratively ineligible for Red River County IHC benefits in accordance with Red River County IHC Policies and Procedures; and
- May be subject to prosecution under the Texas Penal code.

**APPROVED** by the Red River County Commissioners Court on the 27 day of July, 2015.

Signed: *L.D. Williamson*  
L.D. Williamson, County Judge

Attest:

*Shawn Weemes*  
Shawn Weemes, County Clerk

