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**ATTORNEY GENERAL** DEC 18 '18 PM 3:24 DAS  
**DEPARTMENT OF JUSTICE**

33 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301-6397

GORDON J. MACDONALD  
ATTORNEY GENERAL

JANE E. YOUNG  
DEPUTY ATTORNEY GENERAL



December 13, 2018

His Excellency Governor, Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, NH 03301

Your Excellency and Members of the Council:

**REQUESTED ACTION**

Authorize the Department of Justice to **retroactively** pay organizational dues to the National Association of Medicaid Fraud Control Units, vendor number 170397, Washington, D.C., in the amount of \$7,494 for the Medicaid Fraud Control Unit's (MFCU) Annual Dues for the period of July 1, 2018 through December 31, 2019 upon approval of the Governor and Executive Council through December 31, 2019. 75% Federal Funds, 15% Agency Income, 10% General Funds.

Funding is available as follows:

02-20-20-200510-2615	<u>FY 2019</u>
Medicaid Fraud Unit	
026-500251, Organizational Dues	\$7,494

**EXPLANATION**

**This request is retroactive because, even though the coverage is from July 1, 2018 to December 31, 2019, the invoice from the National Association of Medicaid Fraud Control Units was dated and received at the Department of Justice November 1, 2018.**

Congress enacted the Medicaid program in 1965. New Hampshire's Medicaid Fraud Unit has been operating since 1984. The Unit has statewide jurisdiction to investigate and prosecute fraud and abuse practices in the State of New Hampshire and receives 75% federal funding for its operations. New Hampshire is a member of the National Association of Medicaid Fraud Units (NAMFCU) headquartered in Washington, DC. The nation's 49 Medicaid Fraud Units are organized under the umbrella of NAMFCU. As a condition of membership, each state


His Excellency, Governor Christopher T. Sununu  
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is required to pay annual organizational dues. The dues are calculated based on the amount of federal funds that New Hampshire MFCU receives. Because New Hampshire's federal funding is between \$500,000 and \$1,000,000, NAMFCU dues are calculated to be \$7,494. NAMFCU is changing their invoice structure to reflect a calendar year. Therefore, this invoice covers 18 months instead of 12 months.

Attached please find the standard questions and answers required for organizational dues and memberships.

Please let me know if you have any questions concerning this request. Your consideration is greatly appreciated.

Respectfully submitted,

  
Gordon J. MacDonald  
Attorney General

Enclosure

#2240996

**Standard questions required for Governor and Council for organization dues and membership approval submissions:**

1. *How long has this organization been in existence and how long has this agency been a member of this organization?*  
The National Association of Medicaid Fraud Control Units (NAMFCU) has been in existence since 1965. The Department of Justice has belonged to this organization since 1984, when the NH DOJ Medicaid Fraud Control Unit was established.
2. *Is there any other organization which provides the same or similar benefits which your agency belongs to?*  
The Medicaid Fraud Control Unit does not belong to another organization providing the same or similar benefits.
3. *How many other states belong to this organization and is your agency the sole New Hampshire state agency that is a member?*  
This organization is made up of 49 states and the District of Columbia. The NH MFCU is the sole State Agency in New Hampshire belonging to this organization.
4. *How is the dues structure established?*  
NAMFCU determines the dues amount based on the amount of federal funds that each state MFCU receives.
5. *What benefit does the state receive from participating in this membership?*  
NAMFCU provides investigative and administrative training for MFCU staff. It helps the State respond to emerging issues by pooling resources and facilitating interstate cooperation on legal and enforcement issues. It plays a key role in facilitating multi-state actions and multi-state settlements.
6. *Are training or educational/research materials included in the membership? If so, is the cost included.*  
Yes, training and educational/research materials are included in the membership. Some training is reimbursed.
7. *Is the membership required to receive any federal grants or required in order to receive or participate in licensing or certification exams?*  
Yes.
8. *Is there any travel included with this membership fee? Explain in detail any travel to include the number of employees involved, the number of trips, destination if known and purposes of membership supported trips.*  
No travel is included in the membership fee. NAMFCU pays for limited travel expenses for MFCU staff to attend trainings, the funds come from multi-state litigation. All

members of the MFCU are required to attend trainings as part of the federal grant, which covers 75% of the costs.

9. *Which state agency employees are directly involved with this organization? (Indicate if they are members, voting members, committee members and or officers of the organization).*

Assistant Attorney General Sean Gill is currently the Director of the NH Medicaid Fraud Control Unit and is New Hampshire's representative with NAMFCU.

10. *Explain in detail any negative impact to the State if the Agency did not belong to this organization.*

- NH would forfeit the opportunity to involve itself in the multi-state litigation, and recover significant funds for the state Medicaid program.
- NH would lose the benefit of a centralized resource for information and assistance on major state and federal emerging issues.



NATIONAL ASSOCIATION  
OF  
MEDICAID FRAUD CONTROL UNITS

1850 M Street NW 12<sup>th</sup> Floor • Washington, DC 20036

Executive Director  
**Barbara L. Zelner**

President  
**Randall L. Clouse**  
*Director, Virginia MFCU*

Vice-President  
**David Tanay**  
*Director, Michigan MFCU*

November 1, 2018

Sean P. Gill, Director, MFCU  
Medicaid Fraud Control Unit of New Hampshire  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301-6397

INVOICE #NH-2019

Medicaid Fraud Annual Dues: July 1, 2018 – December 31, 2019

Total Due: \$7,494

ENCLOSURE

NAMFCU  
Dues Schedule FY 2019

Federal Funding	MFCUs	Federal Funding FY 2019	Dues FY2019
60 - 70 MM			
50 - 60 MM			
40 - 50 MM	New York	44,036,860	47,250
	California	41,140,284	47,250
30 - 40 MM			44,892
20 - 30 MM			42,337
10 - 20 MM	Texas	19,607,676	40,024
	Florida	19,585,924	40,024
	Virginia	10,625,152	40,024
	Ohio	10,551,828	40,024
8 - 10 MM	Pennsylvania	8,589,284	29,648
	Illinois	8,092,672	29,648
6 - 8 MM	Washington	6,525,980	24,544
	Louisiana	6,406,204	24,544
4 - 6 MM	Indiana	5,997,460	19,441
	North Carolina	5,673,084	19,441
	Massachusetts	4,758,848	19,441
	Michigan	4,323,516	19,441
	Georgia	4,246,044	19,441
	Kentucky	4,074,676	19,441
	Tennessee	4,056,676	19,441
	Maryland	4,041,352	19,441
2 - 4 MM	New Jersey	3,577,132	16,000
	Arizona	3,357,748	16,000
	Mississippi	3,261,912	16,000
	D.C.	2,982,864	16,000
	Minnesota	2,973,856	16,000
	Oregon	2,604,444	16,000
	Missouri	2,557,212	16,000
	Oklahoma	2,484,228	16,000
	New Mexico	2,400,360	16,000
	Nevada	2,320,072	16,000
	Arkansas	2,154,688	16,000
1 - 2 MM	Colorado	1,982,320	13,718
	Connecticut	1,951,368	13,718
	Utah	1,893,052	13,718
	Rhode Island	1,884,072	13,718
	Delaware	1,797,308	13,718
	Hawaii	1,765,168	13,718
	Alaska	1,506,244	13,718
	South Carolina	1,430,676	13,718
	West Virginia	1,411,824	13,718
	Kansas	1,402,676	13,718
	Wisconsin	1,371,456	13,718
	Alabama	1,205,368	13,718
	Maine	1,004,504	13,718
500K - 1 MM	Vermont	976,120	7,494
	Nebraska	947,120	7,494
	Iowa	917,100	7,494
	New Hampshire	787,688	7,494
	Idaho	745,076	7,494
	Montana	738,440	7,494
200K-500K	South Dakota	408,216	3,012
	Wyoming	335,896	3,012

\$ 269,469,728 \$ 923,830