AN ACT concerning the attorney general; relating to persons providing certain information; increasing reward payments to such persons; amending K.S.A. 2018 Supp. 75-727 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2018 Supp. 75-727 is hereby amended to read as follows: 75-727. (a) The attorney general is hereby authorized to pay a reward not to exceed $5,000 to any person who first furnishes information as an original source of the information to the attorney general concerning a violation by any person of the medicaid fraud control act, the false claims act, or any other provision of law that protects the integrity of the public treasury.

(b) (1) Any person who is the original source of the information used by the attorney general to bring an action under the medicaid fraud control act, the false claims act, or any other provision of law that protects the integrity of the public treasury shall receive 10% of any recovery by the attorney general subject to the provisions of this section.

(2) If the court finds that such person planned or initiated the conduct giving rise to the action, such person shall not be entitled to any part of the recovery obtained in such action.

(c) No employee of a governmental entity shall be eligible for a reward under this section, unless the information furnished to the attorney general does not relate in any manner to such employee's responsibilities as an employee of a governmental entity, as determined solely by the attorney general. As used in this section, "employee" and "governmental entity" mean the same as in K.S.A. 75-6102, and amendments thereto.

(d) Any reward pursuant to this section shall be paid only upon certification by the attorney general that information provided by such informant: (1) Was not previously known to the attorney general; and (2) materially contributed to an investigation conducted by the attorney general. No such reward shall be paid except after entry of judgment in favor of the state, or conviction for violation of the law, in the matter upon which the informant provided information.

(e) Any reward payment authorized by this section shall be made on the order of the attorney general from the medicaid fraud prosecution revolving fund established by K.S.A. 2018 Supp. 21-5933, and—
amendments thereto funds and fines recovered. The attorney general shall have sole discretion in determining whether a reward shall be paid, the amount of any such payment not to exceed $5,000 and whether an informant is eligible to receive such reward.

(e) The attorney general shall inform the public of rewards authorized by this section for the purpose of encouraging persons to furnish information described in subsection (a) to the attorney general.

(f) The attorney general may promulgate rules and regulations necessary to carry out the provisions of this section.

(h) As used in this section:

1. "Employee" means the same as in K.S.A. 75-6102, and amendments thereto;
2. "governmental entity" means the same as in K.S.A. 75-6102, and amendments thereto; and
3. "original source of information" means an individual providing information not previously disclosed to or known by the government or public.

Sec. 2. K.S.A. 2018 Supp. 75-727 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.