

2022 SESSION

LEGISLATION NOT PREPARED BY DLS
INTRODUCED

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SENATE BILL NO. 769

Offered January 21, 2022

A *BILL to amend the Code of Virginia by adding a section numbered 60.2-612.1, relating to unemployment compensation; program integrity.*

Patron—Reeves

Referred to Committee on Commerce and Labor

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 60.2-612.1 as follows:

§ 60.2-612.1. Program integrity.

A. In order to verify that an individual is eligible to receive benefits, the Commission shall:

1. Engage with and utilize the Integrity Data Hub operated by the National Association of State Workforce Agencies;

2. On a weekly basis, cross-check each individual receiving benefits against the U.S. Office of Child-Support Enforcement's National Directory of New Hires;

3. On a weekly basis, cross-check each individual receiving benefits against the Department of Corrections list of incarcerated individuals; and

4. On a monthly basis, cross-check each individual receiving benefits against death records maintained by the State Registrar of Vital Records.

B. The Commission shall verify the identity of each individual filing a new claim for unemployment prior to awarding benefits and shall require multi-factor authentication prior to awarding benefits.

C. The Commission shall perform a full eligibility review of suspicious or potentially improper claims in any case where:

1. Multiple or duplicative claims are filed online originating from the same Internet protocol address;

2. A claim is filed online from a foreign Internet protocol address;

3. Multiple or duplicative claims are filed that are associated with the same mailing address; or

4. Multiple or duplicative claims are filed that are associated with the same bank account.

D. The Commission shall recover any improper overpayment of benefits to the fullest extent authorized by this title and federal law.

E. The Department of Social Services, the Department of Medical Assistance Services, and the Department of Housing and Community Development, upon receipt of notification that an individual enrolled in any of such department's public assistance programs, has become employed, shall notify the Commission of such fact, in order for the Commission to determine the individual's eligibility for benefits.

F. If the Commission receives information concerning an individual receiving benefits that indicates a change in circumstances that may affect the individual's eligibility, the Commission shall review such individual's case.

G. The Commission may enter into a memorandum of understanding with any state agency necessary to implement the provisions of this section.

H. The Commission shall report by December 1 of each year to the General Assembly addressing the implementation and enforcement of the provisions of this section. The report shall include:

1. The Commission's rate of consistency in performing the weekly checks against all datasets referenced in this section;

2. The type and amount of improper payments detected retroactively;

3. The type and amount of improper payments prevented;

4. Moneys saved in preventing improper overpayments and, if any, in recouping improper overpayments; and

5. An explanation for the nonrecovery of overpayments, including the application of any allowable recovery exceptions.

I. The Commission shall promulgate regulations to implement the provisions of this section.

2. That the provisions of this act shall become effective on January 1, 2023.

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SB769