

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 2168, Page 1, Section A, Line 6,

2 by inserting after all of said line the following:

3 "288.104. 1. This section shall be known and may be
 4 cited as the "Employment Security Program Integrity Act of
 5 2022".

6 2. As used in this section, the following terms mean:

7 (1) "Department of corrections", the Missouri
 8 department of corrections;

9 (2) "Division", the division of employment security of
 10 the Missouri department of labor and industrial relations;

11 (3) "Employment security rolls", the list of all
 12 persons currently receiving unemployment compensation
 13 benefits under this chapter, to be kept and updated by the
 14 division;

15 (4) "Integrity Data Hub", the Integrity Data Hub
 16 designed and published by the UI Integrity Center of the
 17 National Association of State Workforce Agencies (NASWA);

18 (5) "New-hire records", the directory of newly hired
 19 and rehired employees reported under applicable state and
 20 federal laws and managed by the division;

21 (6) "Welfare agency", any state agency, department, or
 22 entity which distributes or administers public assistance
 23 benefits, other than unemployment compensation benefits,
 24 through the Temporary Assistance for Needy Families (TANF),
 25 Supplemental Nutrition Assistance (SNAP), Medicaid, or
 26 public housing programs.

27 3. The division shall engage with and utilize the
28 Integrity Data Hub to ensure that only eligible individuals
29 receive unemployment compensation benefits pursuant to this
30 chapter.

31 4. The division shall, on a weekly basis, check its
32 employment security rolls against a list of incarcerated
33 individuals, which shall be provided to the division by the
34 department of corrections, to verify the eligibility of
35 unemployment compensation benefit claimants and to ensure
36 that only eligible individuals receive unemployment
37 compensation benefits pursuant to this chapter.

38 5. The division shall, on a weekly basis, check its
39 employment security rolls against state death records.

40 6. The division shall, on a weekly basis, check its
41 new-hire records against the records contained in the
42 National Directory of New Hires in order to verify the
43 eligibility of the individuals named in the division's new-
44 hire records.

45 7. The division shall verify the identity of
46 unemployment compensation benefit claimants by methods
47 including but not limited to:

48 (1) Verifying the identity of an applicant prior to
49 awarding benefits; and

50 (2) Requiring multi-factor authentication as part of
51 online applications.

52 8. The division shall perform a full eligibility
53 review of suspicious or potentially improper claims, in
54 cases including but not limited to:

55 (1) Multiple or duplicative claims filed online
56 originating from the same internet protocol address;

57 (2) Claims filed online from foreign internet protocol
58 addresses;

59 (3) Multiple or duplicative claims filed which are
60 associated with the same mailing address; and

61 (4) Multiple or duplicative claims filed which are
62 associated with the same bank account.

63 9. Any welfare agency, upon receipt of information
64 that an enrolled individual has become employed, shall
65 notify the division in order that the division may determine
66 whether an individual remains eligible for unemployment
67 compensation benefits.

68 10. (1) The division shall adopt and implement
69 internal administrative policies to prioritize and pursue
70 the recovery of fraudulent or otherwise improper
71 unemployment compensation benefit overpayments to the
72 fullest extent allowable under applicable state and federal
73 law. The division shall, without exception, attempt to
74 recover all outstanding unemployment compensation benefit
75 overpayments unless doing so would violate state or federal
76 law.

77 (2) The division shall maintain records of all of its
78 attempts to recover unemployment compensation benefit
79 overpayments. The division shall issue a written report to
80 the general assembly each year, no later than December
81 thirty-first, describing improper unemployment compensation
82 benefit payments and their recovery, the extent to which any
83 improper unemployment compensation benefit payments have not
84 been corrected or recovered, and the reasons for the failure
85 of the division to secure such correction or recovery.

86 (3) The division shall issue a written report to the
87 general assembly each year, no later than December thirty-
88 first, on the efficacy of employment security fraud
89 detection and on the measures taken by the division to
90 prevent employment security fraud.

91 11. The division is hereby authorized to execute a
92 memorandum of understanding with any governmental entity of
93 this state in order to share and receive such information as
94 may be necessary for the division to administer the
95 provisions of this section.

96 12. If the division receives information relating to
97 an individual who has been found eligible for unemployment
98 compensation benefits and such information indicates a
99 change in circumstances that could affect the individual's
100 eligibility, the division shall review the individual's
101 eligibility case.

102 13. The division may promulgate all necessary rules
103 and regulations for the administration of this section. Any
104 rule or portion of a rule, as that term is defined in
105 section 536.010, that is created under the authority
106 delegated in this section shall become effective only if it
107 complies with and is subject to all of the provisions of
108 chapter 536 and, if applicable, section 536.028. This
109 section and chapter 536 are nonseverable, and if any of the
110 powers vested with the general assembly pursuant to chapter
111 536 to review, to delay the effective date, or to disapprove
112 and annul a rule are subsequently held unconstitutional,
113 then the grant of rulemaking authority and any rule proposed
114 or adopted after the effective date of this section shall be
115 invalid and void."; and

116 Further amend said bill, page 84, section B, line 2, by
117 striking "section" and inserting in lieu thereof the
118 following: "sections 288.104 and"; and

119 Further amend the title and enacting clause accordingly.