TITLE 1 ADMINISTRATION

PART 15 TEXAS HEALTH AND HUMAN SERVICES COMMISSION

[CHAPTER 371](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=1&pt=15&ch=371) MEDICAID AND OTHER HEALTH AND HUMAN SERVICES FRAUD AND ABUSE PROGRAM INTEGRITY

SUBCHAPTER F INVESTIGATIONS

§371.1311. Role of the OIG and SIUs.

(a) An MCO is required by §353.502 of this title (relating to Managed Care Organization's Plans and Responsibilities in Preventing and Reducing Waste, Abuse, and Fraud) and §370.501 of this title (relating to Purpose) to establish and maintain an SIU to investigate allegations of waste, abuse, or fraud [~~fraud, waste, or abuse~~] for all services in the MCO plan. If an MCO suspects possible waste, abuse, or fraud [~~fraud, waste, or abuse~~], the MCO must conduct a preliminary investigation in accordance with criteria in §353.502 and §370.501 of this title. If the preliminary investigation confirms waste, abuse, or fraud [~~fraud, waste, or abuse~~], the MCO must refer the matter to the OIG in accordance with §353.505 of this title (relating to Recovery of Funds).

(b) For a potential overpayment amount less than $100,000, the MCO pursues recovery of the overpayment, and remits one-half of the recovered amount in accordance with §353.505 of this title (relating to Recovery of Funds).

(c) - (d) (No change.)