

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

A Bill

HOUSE BILL 1529

5 By: Representative Catlett
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING CERTAIN EMPLOYEES
9 OF THE STATE INSURANCE DEPARTMENT; TO MAKE
10 INVESTIGATORS OF THE STATE INSURANCE DEPARTMENT LAW
11 ENFORCEMENT OFFICERS; AND FOR OTHER PURPOSES.
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Subtitle

14 TO AMEND THE LAW CONCERNING CERTAIN
15 EMPLOYEES OF THE STATE INSURANCE
16 DEPARTMENT; AND TO MAKE INVESTIGATORS OF
17 THE STATE INSURANCE DEPARTMENT LAW
18 ENFORCEMENT OFFICERS.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 11-9-106(d)(1), concerning personnel and
25 investigators hired by the Workers' Compensation Fraud Investigation Unit of
26 the State Insurance Department, is amended to read as follows:

27 (d)(1)(A)(i) There shall be established within the State Insurance
28 Department a Workers' Compensation Fraud Investigation Unit, funded by the
29 commission, which will be headed and supervised by a director who may also
30 serve as the director of any other designated insurance fraud investigation
31 division within the department, in which event the director's compensation
32 shall be paid solely from the funds of such insurance fraud investigation
33 division.

34 (ii) The State Insurance Department is designated as
35 a law enforcement agency.

36 (B)(i) The unit herein designated will investigate



workers' compensation fraud, additional criminal violations that may be related thereto, and any other insurance fraud matters as may be assigned at the discretion of the director.

(ii) The Insurance Commissioner shall designate the personnel assigned to the unit, who, ~~upon meeting the qualifications established by the Arkansas Commission on Law Enforcement Standards and Training,~~ shall ~~have the powers of specialized law enforcement officers of the State of Arkansas for the purpose of conducting~~ conduct investigations under this subdivision (d)(1)(B).

(iii) A person designated and employed as an investigator by the Workers' Compensation Fraud Investigation Unit of the State Insurance Department shall:

(a) Be a certified law enforcement officer under § 12-9-101 et seq.; and

(b) Have statewide law enforcement jurisdiction and authority.

(iv) Personnel hired as ~~specialized~~ law enforcement officers shall have a minimum of three (3) years of certified law enforcement experience or its equivalent in national or military law enforcement experience as approved by the Arkansas Commission on Law Enforcement Standards and Training.

SECTION 2. Arkansas Code § 23-66-508(a), concerning personnel and investigators hired by the Criminal Investigation Division of the State Insurance Department, is amended to read as follows:

(a)(1)(A) The Criminal Investigation Division is established within the State Insurance Department.

(B) The State Insurance Department is designated as a law enforcement agency.

(2)(A) The Insurance Commissioner shall appoint the full-time supervisory and investigative personnel of the division, who shall be qualified by training and experience to perform the duties of their positions.

(B) A person designated and employed as an investigator for the division shall:

(i) Be a certified law enforcement officer under §

1 12-9-101 et seq.; and

2 (ii) Have statewide law enforcement jurisdiction and
3 authority.

4 (3)(A) The commissioner shall designate the personnel assigned to the
5 division, who, ~~upon meeting the qualifications established by the Arkansas~~
6 ~~Commission on Law Enforcement Standards and Training, shall have the powers~~
7 ~~of specialized law enforcement officers of the State of Arkansas for the~~
8 ~~purpose of conducting~~ conduct investigations under § 23-66-504 and any
9 criminal violations related to those investigations.

10 (B) Personnel hired as ~~specialized~~ law enforcement officers
11 shall have a minimum of three (3) years of certified law enforcement
12 experience or its equivalent in national or military law enforcement
13 experience as approved by the commission.

14 (4) The commissioner shall also appoint clerical and other staff
15 necessary for the division to carry out its duties and responsibilities under
16 this subchapter.