



**County of San Bernardino  
Department of Behavioral Health**

**INFORMATION NOTICE NO.08-04**

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**DATE:** November 24, 2008

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**TO:** All DBH Contract Agencies and Fee For Service (FFS) Providers

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**FROM:** Allan Rawland, Director

**SUBJECT:** Deficit Reduction Act Compliance

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The Deficit Reduction Act (DRA) created a new Section 1902 (a) (68) of the Social Security Act when it was signed February 8, 2005. Effective January 1, 2007, the DRA required entities that receive or make annual payments under the State plan of at least \$5,000,000 develop and maintain a written policy to inform employees, contractors and agents about the Federal False Claims Act, administrative remedies for false claims, state laws pertaining to civil and criminal penalties for false claims and whistleblower protections.

The Department of Behavioral Health has met the requirements of the DRA with the implementation of the [Fraud, Waste and Abuse Prevention Policy](#) and education of this policy with the DBH workforce. In order to ensure compliance with the requirements of the DRA, DBH requires contract agencies, contract agency employees and FFS Providers establish and adhere to written policies containing detailed information regarding the Federal False Claims Act, State laws, and details on the detection and prevention of fraud, waste and abuse. This requirement shall be effectuated through contracts and agreements by contract agencies and FFS Providers, respectively. Information Notice #08-04 serves as interim notice for contract agencies and FFS Providers regarding this requirement effective the date of receipt.

Contract agencies and/or FFS Providers having questions regarding this Information Notice may contact the DBH Office of Compliance (909) 382-3127.

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**References**

DBH SPM: [COM 0927- Fraud, Waste and Abuse Prevention Policy](#)  
Title 19 of the Social Security Act, Section 1902 (a) (68)  
Title 42 of the US Code, Section 1396 (a)  
[County of San Bernardino. \(2008\). Federal and State False Claims Act. No. 16-03](#)

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