

## CHAPTER 33

**AN ACT** concerning the consolidation of the functions of the Office of the Inspector General and the Office of the Medicaid Inspector General under the Office of the State Comptroller, supplementing Title 52 of the New Jersey Statutes and repealing sections 2 through 4 of P.L.2005, c.119 and section 4 of P.L.2007, c.58.

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

C.52:15C-20 Findings, declarations relative to consolidation of offices of Inspector General and Medicaid Inspector General.

1. The Legislature finds and declares:

a. Currently, there are numerous agencies within State government that are responsible for monitoring and auditing government programs and agencies, reviewing the performance of government functions and programs, and investigating misconduct by public employees, all aimed at providing accountability and transparency, promoting the efficiency and integrity of government operations, and identifying cost savings.

b. While the ongoing review of government operations helps guard against the waste, fraud, and abuse of public resources, the overlapping of the missions of the Office of the Inspector General, Office of the Medicaid Inspector General, and the Office of the State Comptroller has the potential to lead to inefficiencies in the performance of these critical functions.

c. The consolidation of the powers and duties of these existing State offices within the Office of the State Comptroller will allow for the systematic, efficient, and coordinated review and oversight of the State and its subdivisions.

C.52:15C-21 Office of Inspector General abolished, functions, powers, duties transferred.

2. a. The Office of the Inspector General established pursuant to P.L.2005, c.119 (C.52:15B-1 et seq.) and allocated, in but not of, the Department of the Treasury is abolished and all of its functions, powers, and duties, except as otherwise provided by this act, P.L.2010, c.33 (C.52:15C-20 et seq.), are continued and transferred to the Office of the State Comptroller.

b. Except as otherwise provided in this act, P.L.2010, c.33 (C.52:15C-20 et seq.), whenever, in any law, rule, regulation, order, reorganization plan, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the Office of the Inspector General the same shall mean and refer to the Office of the State Comptroller.

c. The functions, powers, and duties conferred upon, or required to be exercised by, the Inspector General are continued but such functions, powers, and duties are hereby transferred to and shall be exercised and performed by the State Comptroller.

C.52:15C-22 Transfer of employees from Office of Inspector General.

3. a. Notwithstanding the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.), the office and the term of the Inspector General established pursuant to section 3 of P.L.2005, c.119 (C.52:15B-3) shall terminate on the effective date of this act, P.L.2010, c.33 (C.52:15C-20 et seq.).

b. Employees of the Office of the Inspector General who are employed by the office on the effective date of this act, P.L.2010, c.33 (C.52:15C-20 et seq.), and determined by the State Comptroller to be necessary to carry out the duties of the Office of the State Comptroller pursuant to this act are continued and transferred to the Office of the State Comptroller. Such transfers shall be consistent with the "State Agency Transfer Act,"

P.L.1971, c.375 (C.52:14D-1 et seq.). Employees transferred pursuant to this act, P.L.2010, c.33 (C.52:15C-20 et seq.), shall be deemed confidential employees for the purposes of the "New Jersey Employer-Employee Relations Act," P.L.1941, c. 100 (C.34:13A-1 et seq.).

c. Except as otherwise provided by this section and section 2 of this act, P.L.2010, c.33 (C.52:15C-21), the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.), shall apply to the transfer of the Office of the Inspector General.

C.52:15C-23 Office of Medicaid Inspector General abolished, functions, powers, duties transferred.

4. a. The Office of the Medicaid Inspector General established pursuant to P.L.2007, c.58 (C.30:4D-53 et seq.) in the Office of the Inspector General is abolished and all of its functions, powers and duties, except as otherwise provided by this act, P.L.2010, c.33 (C.52:15C-20 et seq.), are continued and transferred to the Office of the State Comptroller.

b. Except as otherwise provided in this act, P.L.2010, c.33 (C.52:15C-20 et seq.), whenever, in any law, rule, regulation, order, reorganization plan, contract, document, judicial or administrative proceeding, or otherwise, reference is made to the Office of the Medicaid Inspector General the same shall mean and refer to the Office of the State Comptroller.

c. The functions, powers, and duties conferred upon, or required to be exercised by, the Medicaid Inspector General are continued but such functions, powers, and duties are hereby transferred to and shall be exercised and performed by the State Comptroller.

C.52:15C-24 Transfer of employees from Office of Medicaid Inspector General.

5. a. Notwithstanding the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.), the office and the term of the Medicaid Inspector General established pursuant to section 4 of P.L.2007, c.58 (C.30:4D-56) shall terminate on the effective date of this act, P.L.2010, c.33 (C.52:15C-20 et seq.).

b. Employees of the Office of the Medicaid Inspector General, including the Medicaid Inspector General, who are employed by the office on the effective date of this act, P.L.2010, c.33 (C.52:15C-20 et seq.), and determined by the State Comptroller to be necessary to carry out the duties of the Office of State Comptroller pursuant to this act are continued and transferred to the Office of the State Comptroller. Such transfers shall be consistent with the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.). Employees transferred pursuant to this act, P.L.2010, c.33 (C.52:15C-20 et seq.), shall be deemed confidential employees for the purposes of the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.).

c. Except as otherwise provided by this section and section 4 of this act, P.L.2010, c.33 (C.52:15C-23), the "State Agency Transfer Act," P.L.1971, c.375 (C.52:14D-1 et seq.) shall apply to the transfer of the Office of the Medicaid Inspector General.

d. An employee in the classified service transferred to the Office of the State Comptroller pursuant to this section, may remain in the classified service, provided, however, that when the transferred employee no longer serves in that classified position, the classified position shall be abolished. Nothing in this section shall be construed as limiting the authority of the State Comptroller to reclassify positions within the office as provided by law.

Repealer.

6. The following are hereby repealed:

P.L.2010, CHAPTER 33

3

Sections 2 through 4 of P.L.2005, c.119 (C.52:15B-2 through 52:15B-4); and  
Section 4 of P.L.2007, c.58 (C.30:4D-56).

7. This act shall take effect immediately and any action necessary to implement this act may be taken at any time thereafter, with general implementation to be completed no later than the 30 day following enactment.

Approved June 29, 2010.