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Minnesota Attorney General Keith Ellison
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January 13, 2022

VIA U.S. MAIL AND E-MAIL

Honorable Michael Nelson
Chair, State Government Finance and Elections
Committee
Minnesota House of Representatives
585 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Honorable Mary Kiffmeyer
Chair, State Government Finance and
Policy and Elections Committee
Minnesota State Senate
95 University Avenue West
Minnesota Senate Building, Room 3103
St. Paul, MN 55155

Honorable Jim Nash
Ranking Minority Member, State Government
Finance and Elections
Minnesota House of Representatives
349 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Honorable Jim Carlson
Ranking Minority Member, State
Government Finance and Policy and
Elections Committee
Minnesota State Senate
95 University Avenue West
Minnesota Senate Building, Room 2207
St. Paul, MN 55155

Re: Report Required By Minn. Stat. § 15C.16

Dear Chairs and Ranking Members:

The Minnesota False Claims Act (“MFCA”), section 15C.16, requires this Office to report to the chairs and ranking minority members of the Senate and House of Representative committees with jurisdiction over state government finance by January 15 of each year on activities carried out under Chapter 15C during the prior calendar year. Pursuant to this requirement, I provide the following information:

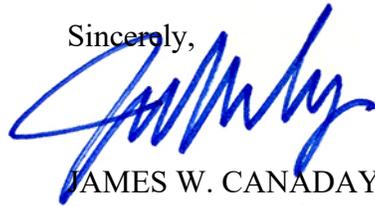
- In 2021, 31 complaints were received where a claim was made pursuant to the authority in Minnesota Statutes section 15C.05. Most of these complaints asserted claims primarily under the authority provided by the Federal False Claims Act.

Honorable Michael Nelson
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- In 2021, the Office obtained recoveries in matters involving Chapter 15C claims of \$1,463,292.71; of this amount, \$933,009.71 was distributed to the Minnesota Department of Human Services pursuant to federal Medicaid provisions, and \$530,283 was disbursed to other state agencies. There were 32 cases in which the Office either declined to intervene or the relator dismissed the case. The Office did not intervene in any MFCA cases in 2021; certain MFCA cases were resolved by civil settlement prior to an intervention decision by the Office.
- In 2021, 738.8 attorney hours and 519.0 non-attorney hours were spent on activities under the MFCA.¹

Please be advised that this Office continues to be a member of the National Association of Medicaid Fraud Control Units and through this participation regularly works in conjunction with other states and with the United States Department of Justice to pursue recoveries under the Federal False Claims Act.

Sincerely,



JAMES W. CANADAY
Deputy Attorney General

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cc: Legislative Reference Library

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¹ The Attorney General's Office incurred additional time in pursuing the State of Minnesota's claims (including a claim pursuant to Minnesota Statutes chapter 15C) against Purdue Pharma in its opioid-related litigation. *See State of Minnesota v. Purdue Pharma L.P., et al.*, Court File No. 27-CV-18-10788 (filed July 2, 2018 in Hennepin County District Court). This matter was initiated as an investigation in 2017, and litigation commenced in 2018. Purdue Pharma entered bankruptcy in 2019 and the state's litigation was stayed. The bankruptcy case is still pending and the state's litigation is currently stayed through February 1, 2022. During 2021, approximately 466 hours of attorney time was devoted to this matter, but almost all that time was related to bankruptcy issues and is not specifically attributable to prosecution of the State's MFCA claim. This matter is identified in this report pursuant to Minnesota Statutes section 15C.16, subpart 3, because if the litigation stay is lifted, additional attorney and investigator time may be required related to the MFCA issue.