

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 667

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EMPLOYMENT SECURITY LAW; AMENDING CHAPTER 13, TITLE 72, IDAHO  
2 CODE, BY THE ADDITION OF A NEW SECTION 72-1383, IDAHO CODE, TO PROVIDE  
3 FOR THE INTEGRITY OF THE EMPLOYMENT SECURITY PROGRAM AND TO ESTABLISH  
4 PROVISIONS REGARDING CERTAIN CROSS-MATCH REQUIREMENTS; AND DECLARING  
5 AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 13, Title 72, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 72-1383, Idaho Code, and to read as follows:

11 72-1383. INTEGRITY OF THE EMPLOYMENT SECURITY PROGRAM. (1) The pur-  
12 pose of this section is to enhance program integrity for the state's unem-  
13 ployment insurance program. The department shall be required to perform  
14 routine cross-matches and eligibility reviews for suspicious claims, to  
15 implement identity protection protocols, to recover overpayments, and to  
16 report the results of such activities to the legislature.

17 (2) The department shall, in order to verify unemployment claimant eli-  
18 gibility, perform cross-match activities including but not limited to:

19 (a) Engaging with and utilizing the integrity data hub operated by the  
20 national association of state workforce agencies;

21 (b) On a weekly basis, cross-checking the unemployment insurance rolls  
22 against the national directory of new hires and the department of cor-  
23 rections list of incarcerated individuals; and

24 (c) On a monthly basis, cross-checking the unemployment insurance  
25 rolls against state death records.

26 (3) The department shall verify the identity of unemployment claimants  
27 by methods including but not limited to:

28 (a) Verifying the identity of an applicant prior to awarding benefits;

29 (b) Requiring multifactor authentication as part of online applica-  
30 tions; or

31 (c) Providing for an applicant to identify himself at a state office in  
32 a manner to be established by the department.

33 (4) The department shall perform a full eligibility review of suspi-  
34 cious or potentially improper claims in cases including but not limited to:

35 (a) Multiple or duplicative claims filed online originating from the  
36 same internet protocol address;

37 (b) Claims filed online from foreign internet protocol addresses; or

38 (c) Multiple or duplicative claims filed that are associated with the  
39 same mailing address or bank account.

40 (5) The department shall adopt and implement internal administra-  
41 tive policies to recover improper payments of unemployment benefits to the  
42 fullest extent possible. The department shall, without exception, recover

1 improper unemployment benefit payments unless doing so would violate state  
2 or federal law.

3 (6) The department shall provide a written report, on an annual basis,  
4 to an appropriate germane legislative committee, addressing the implementa-  
5 tion and enforcement of the provisions of this section. This report shall  
6 include but not necessarily be limited to the following information:

7 (a) The department's rate of consistency in performing the weekly  
8 checks against all datasets referenced in this section;

9 (b) The type and amount of improper payments detected retroactively;

10 (c) The type and amount of improper payments prevented;

11 (d) Moneys saved in preventing improper overpayments and, if any, in  
12 recouping improper overpayments; and

13 (e) An explanation for the non-recovery of overpayments, including the  
14 application of any allowable recovery exceptions.

15 (7) By July 1, 2023, the department shall develop a process in coordi-  
16 nation with the department of health and welfare such that, upon receipt by  
17 the department of health and welfare of notification that an individual re-  
18 ceiving a welfare benefit has become employed, the department may determine  
19 whether a claimant remains eligible for unemployment compensation.

20 (8) The department shall execute a memorandum of understanding with any  
21 other department, agency, or division outlined in this section in order to  
22 comply with the requirements of this section.

23 (9) If the department receives information concerning an individual  
24 who receives unemployment benefits pursuant to this chapter that indicates a  
25 change in circumstances that may affect such individual's eligibility, the  
26 department shall review the individual's case pursuant to this section.

27 (10) The department shall promulgate rules, if necessary, to implement  
28 the provisions of this section.

29 SECTION 2. An emergency existing therefor, which emergency is hereby  
30 declared to exist, this act shall be in full force and effect on and after  
31 January 1, 2023.