

THE GOVERNOR

Title 4—ADMINISTRATION

PART I. GOVERNOR'S OFFICE

[4 PA. CODE CH. 1]

[EXECUTIVE ORDER NO. 2020-01]

Office of State Inspector General

January 2, 2020

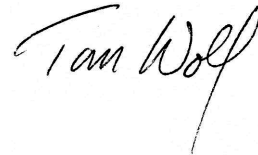
Whereas, the maintenance of public confidence, integrity, and efficiency in the government of this Commonwealth is a primary concern of this administration; and

Whereas, in furtherance of maintaining public confidence, the Office of State Inspector General originally was instituted by executive order in 1987 to detect, prevent, and eradicate fraud, waste, misconduct, and abuse in the programs, operations, and contracting of executive agencies; and

Whereas, the responsibilities of the Office of State Inspector General were codified in the Act of July 20, 2017, P.L. 328, No. 29 (Act 29 of 2017); and

Whereas, ensuring the efficient implementation of Act 29 of 2017 will further the objectives of this administration and the Act.

Now, Therefore, I, Tom Wolf, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby direct the following with respect to the Office of State Inspector General as follows:



Governor

Fiscal Note: GOV-2020-01. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 4. ADMINISTRATION

PART I. GOVERNOR'S OFFICE

CHAPTER 1. AGENCY OPERATION AND ORGANIZATION

Subchapter X. (Reserved)

§§ 1.291—1.296. (Reserved).

Subchapter LLL. OFFICE OF STATE INSPECTOR GENERAL

| Sec. | |
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| 1.911. | Purpose of the Office of State Inspector General. |
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§ 1.911. Purpose of the Office of State Inspector General.

(a) To deter, detect, prevent and eradicate fraud, waste, misconduct and abuse in the programs, operations and contracting of executive agencies as provided in the Act of July 20, 2017 (P.L. 328, No. 29) (Act 29 of 2017) (71 P.S. §§ 211—219).

(b) To keep the heads of executive agencies and the Governor fully informed about problems and deficiencies relating to the administration of programs, operations and contracting in executive agencies.

(c) To report to, coordinate and cooperate with the General Counsel as provided in Act 29 of 2017 and this subchapter.

§ 1.912. Duties and responsibilities.

It shall be the duty and responsibility of the Office of State Inspector General to:

(a) Inspect, evaluate, investigate and review activities, records and individuals with contracts, procurements, grants, agreements and other financial arrangements undertaken by executive agencies for the purpose of identifying fraud, waste, misconduct or abuse.

(b) Conduct investigative activities concerning alleged abuses, frauds and service deficiencies in programs or operations, including in the operation and maintenance of facilities, of executive agencies.

(c) Report expeditiously to and cooperate fully with the General Counsel. It shall be the General Counsel's duty to direct and appoint the Chief Counsel for the Office of the State Inspector General. The protocol for reporting all matters encompassed in this section to the Office of General Counsel will be established by the General Counsel.

(d) Immediately refer a matter to the General Counsel whenever the Office of State Inspector General has reasonable grounds to believe that there has been a violation of criminal law or that a civil action should be initiated by the Commonwealth, except for those violations of criminal law specifically noted in section 506-A of the Act of July 20, 2017 (P.L. 328, No. 29) (71 P.S. § 216). The General Counsel shall be responsible for referring matters to the appropriate executive agency or agencies for criminal prosecution or civil litigation.

(e) Refer matters to the heads of executive agencies whenever the Office of State Inspector General determines that disciplinary or other administrative action is appropriate.

(f) Consult with executive agencies in the development of terms and conditions of contracts, grants and other agreements; and at the direction of the Governor or General Counsel, inspect all records and information in possession, custody or control of any person, association, corporation or public agency that is a party to a contract, grant or other agreement with an executive agency, or a party to any subcontract, subgrant or other agreement subordinate to an agreement with an executive agency, for the purposes of carrying out the duties and responsibilities of the Office of State Inspector General under this subchapter.

§ 1.913. General provisions.

This subchapter shall be implemented consistent with applicable law. This subchapter is not intended to, and does not create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the Commonwealth, its departments, agencies or entities, its officers, employees or agents, or any other person.

§ 1.914. Effective date.

This subchapter shall take effect immediately.

§ 1.915. Rescission.

Effective immediately, Executive Order 1987-7 is hereby rescinded.

[Pa.B. Doc. No. 20-201. Filed for public inspection February 14, 2020, 9:00 a.m.]