



# New York State Bar Association

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## RESOLUTION

March 15, 2006

**RESOLVED**, that the NYSBA Commercial and Federal Litigation Section reiterates the Bar Association's longstanding endorsement of the enactment of a False Claims Act for New York State and its political subdivisions modeled on the Federal False Claims Act, emphasizing the inclusion of a provision allowing *qui tam* actions (citizen initiated lawsuits) to proceed even if the government elects not to intervene (*i.e.* the equivalent of Sec. 3730 (c)(3) of title 31, United States Code), both as a matter of best practices and to insure that New York State qualifies for the increase in the Federal medical assistance percentage provided for under the Federal Deficit Reduction of 2005 which requires, among other things, that the state "law contains provisions that are at least as effective in rewarding and facilitating *qui tam* actions for false and fraudulent claims as those described in sections 3730 through 3732 of title 31, United States Code."

Adopted this 15th day of March, 2005

  
Michael Sant'Ambrogio  
Secretary