



February 13, 2015

HOUSE BILL No. 1401

DIGEST OF HB 1401 (Updated February 11, 2015 3:26 pm - DI 69)

Citations Affected: IC 35-43.

Synopsis: Medicaid fraud. Expands the crime of Medicaid fraud to include knowingly or intentionally making, uttering, presenting, or causing to be presented to the Medicaid program a Medicaid claim that is materially false or misleading.

Effective: July 1, 2015.

Washburne, Bacon, Hale

January 14, 2015, read first time and referred to Committee on Courts and Criminal Code.
February 12, 2015, amended, reported — Do Pass.

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February 13, 2015

First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1401

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-43-5-7.1, AS AMENDED BY P.L.158-2013,
2 SECTION 480, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2015]: Sec. 7.1. (a) Except as provided in
4 subsection (b), a person who knowingly or intentionally:
5 (1) ~~files a Medicaid claim; including an electronic claim; in~~
6 ~~violation of IC 12-15; makes, utters, presents, or causes to be~~
7 ~~presented to the Medicaid program under IC 12-15 a~~
8 ~~Medicaid claim that contains materially false or misleading~~
9 ~~information concerning the claim;~~
10 (2) obtains payment from the Medicaid program under IC 12-15
11 by means of a false or misleading oral or written statement or
12 other fraudulent means;
13 (3) acquires a provider number under the Medicaid program
14 except as authorized by law;
15 (4) alters with the intent to defraud or falsifies documents or

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1 records of a provider (as defined in 42 CFR 1000.30) that are
2 required to be kept under the Medicaid program; or
3 (5) conceals information for the purpose of applying for or
4 receiving unauthorized payments from the Medicaid program;
5 commits Medicaid fraud, a Class A misdemeanor.
6 (b) The offense described in subsection (a) is:
7 (1) a Level 6 felony if the fair market value of the offense is at
8 least seven hundred fifty dollars (\$750) and less than fifty
9 thousand dollars (\$50,000); and
10 (2) a Level 5 felony if the fair market value of the offense is at
11 least fifty thousand dollars (\$50,000).



COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1401, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "directly or indirectly".

Page 1, line 7, after "program" insert "**under IC 12-15**".

Page 1, line 8, after "contains" insert "**materially**".

Page 1, line 8, delete ", incomplete,".

and when so amended that said bill do pass.

(Reference is to HB 1401 as introduced.)

WASHBURNE

Committee Vote: yeas 12, nays 0.

