

HOUSE BILL 822

Unofficial Copy  
E1

2002 Regular Session  
2lr2199  
CF 2lr2198

---

By: **Delegates Barkley and Grosfeld**  
Introduced and read first time: February 7, 2002  
Assigned to: Judiciary

---

A BILL ENTITLED

1 AN ACT concerning

2 **State Health Plan - False Representation**

3 FOR the purpose of prohibiting a person from making a false representation to a  
4 State health plan; making a violation of this Act a misdemeanor subject to  
5 certain penalties; providing that certain penalties do not apply to a violation of  
6 this Act; and generally relating to State health plans and false representation.

7 BY repealing and reenacting, with amendments,  
8 Article - Criminal Law  
9 Section 8-516  
10 Annotated Code of Maryland  
11 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
12 2002)

13 BY adding to  
14 Article - Criminal Law  
15 Section 8-518  
16 Annotated Code of Maryland  
17 (As enacted by Chapter \_\_\_\_\_ (H.B. 11) of the Acts of the General Assembly of  
18 2002)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Criminal Law**

22 8-516.

23 (a) THIS SECTION DOES NOT APPLY TO A VIOLATION OF § 8-518 OF THIS  
24 SUBTITLE.

25 (B) If a violation of this part results in the death of an individual, a person who  
26 violates a provision of this part is guilty of a felony and on conviction is subject to  
27 imprisonment not exceeding life or a fine not exceeding \$200,000 or both.

1 [(b)] (C) If a violation of this part results in serious injury to an individual, a  
2 person who violates a provision of this part is guilty of a felony and on conviction is  
3 subject to imprisonment not exceeding 20 years or a fine not exceeding \$100,000 or  
4 both.

5 [(c)] (D) If the value of the money, health care services, or other goods or  
6 services involved is \$500 or more in the aggregate, a person who violates a provision  
7 of this part is guilty of a felony and on conviction is subject to imprisonment not  
8 exceeding 5 years or a fine not exceeding \$100,000 or both.

9 [(d)] (E) A person who violates any other provision of this part is guilty of a  
10 misdemeanor and on conviction is subject to imprisonment not exceeding 3 years or a  
11 fine not exceeding \$50,000 or both.

12 [(e)] (F) (1) In this subsection, "business entity" includes an association,  
13 firm, institution, partnership, and corporation.

14 (2) A business entity that violates a provision of this part is subject to a  
15 fine not exceeding:

16 (i) \$250,000 for each felony; and

17 (ii) \$100,000 for each misdemeanor.

18 8-518.

19 (A) A PERSON MAY NOT MAKE A FALSE REPRESENTATION RELATING TO A  
20 STATE HEALTH PLAN.

21 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR  
22 AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A  
23 FINE NOT EXCEEDING \$50,000 OR BOTH.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
25 October 1, 2002.