

SENATE BILL 615

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2002 Regular Session
2lr2198
CF 2lr2199

By: **Senator Jimeno**
Introduced and read first time: February 1, 2002
Assigned to: Judicial Proceedings

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.