

BY repealing and reenacting, with amendments,

Article 43 - Health
 Section 42K
 Annotated Code of Maryland
 (1980 Replacement Volume and 1980 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That section(s) of the Annotated Code of Maryland be repealed, amended, or enacted to read as follows:

Article 43 - Health

42K.

(A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(1) "PERSON" MEANS AN INDIVIDUAL, PARTNERSHIP, LIMITED PARTNERSHIP, PROFESSIONAL ASSOCIATION FORMED UNDER § 5 OF THE CORPORATIONS AND ASSOCIATIONS ARTICLE, AND A CORPORATION.

(2) "FRAUD" INCLUDES, BUT IS NOT LIMITED TO, CRIMES SUCH AS MEDICAID FRAUD ~~{ART--277-§-230B}~~, FALSE PRETENSES ~~{ART--277-§-140}~~, LARCENY ~~{ART--277--§--340--AND 341}~~, THEFT ~~{ART--277-§-342}~~, LARCENY AFTER TRUST ~~{ART--277-§-353}~~, EMBEZZLEMENT ~~{ART--277--§--129}~~, CONCEALMENT OF MEDICAL RECORDS ~~{ART--277--§-275A}~~, MISAPPROPRIATION BY A FIDUCIARY ~~{ART--277-§-132}~~, AND ANY ATTEMPT OR CONSPIRACY TO COMMIT SUCH A CRIME.

(3) ~~{1}~~ "CONVICTED" ~~MEANS FINDING OF GUILT BY A COURT OR JURY, ACCEPTANCE BY A COURT OF~~ INCLUDES A CONVICTION FOLLOWING A PLEA OF NOLO CONTENDERE.

~~{11}--"CONVICTED"--INCLUDES--THE--FINDING--OF PROBATION--PRIOR--TO--JUDGMENT--UNDER--ART--277-§-641.~~

(B) [Whenever a physician, chiropractor, dentist, podiatrist, optometrist, pharmacist, nurse, optician, or other health practitioner licensed or certified in this State is] IF A PERSON IS convicted of fraud in connection with the Maryland medical assistance program, OR A SIMILAR MEDICAL ASSISTANCE PROGRAM IN ANY OTHER STATE OR THE DISTRICT OF COLUMBIA, [the physician or other practitioner may not] THE PERSON SHALL be [eligible] INELIGIBLE for any further [payments] PAYMENT under the Maryland medical assistance program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1981.

Approved May 12, 1981.