

Article - Health - General

Section 15-123.1

Annotated Code of Maryland

(1994 Replacement Volume and 1996 Supplement)

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

**Article - Courts and Judicial Proceedings**

5-106.

(a) Except as provided by this section, a prosecution for a misdemeanor shall be instituted within one year after the offense was committed.

(i) A prosecution for the offense of Medicaid fraud under Article 27, § 230B of this Code shall be instituted within 3 years after the offense was committed.

(T) A PROSECUTION FOR A MEDICAID OFFENSE UNDER § 15-123.1 OF THE HEALTH - GENERAL ARTICLE SHALL BE INSTITUTED WITHIN 3 YEARS AFTER THE OFFENSE WAS COMMITTED.

**Article - Health - General**

15-123.

(a) (1) (i) In this subsection the following words have the meanings indicated.

(ii) "Convicted" includes being convicted after a plea of nolo contendere.

(iii) "Fraud" includes the commission of or an attempt or conspiracy to commit a crime such as concealment of medical records, embezzlement, false pretenses, larceny, larceny after trust, Medicaid fraud, MEDICAID HEALTH PLAN FRAUD, FALSE STATEMENTS, REPRESENTATIONS RELATING TO MEDICAID HEALTH PLANS, misappropriation by a fiduciary, or theft.

(iv) "Person" means an individual, partnership, limited partnership, or corporation, including a professional corporation formed under Title 5, Subtitle 1 of the Corporations and Associations Article.

(2) A person who is convicted of fraud in connection with the Program or a similar program of any other state is ineligible for further payment under the Program.

(b) (1) Any health care provider who is convicted of fraud, or who suffers a judgment in favor of this State in a civil action based on fraud, in obtaining Medicaid overpayments is liable to this State for triple the amount of the overpayment.

(2) In either a criminal or civil action, the court shall award the appropriate sum in its sentence or judgment.