

(2) Be subject to a fine of not more than \$10,000, and imprisonment for a period not to exceed five years, or both.

(b) Every person convicted of the crime of Medicaid fraud in which the value of the money, services, or goods involved is less than \$500 is guilty of a misdemeanor, and shall:

(1) Make restitution of the money, services, or goods, or the value of those services or goods unlawfully received;

(2) Be subject to a fine of not more than \$1,000, and imprisonment for a period not to exceed three years, or both.]

230B.

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

(B) "FALSE REPRESENTATION" MEANS:

(1) WILLFULLY KNOWINGLY AND WILLFULLY CONCEALING, FALSIFYING, OR OMITTING A MATERIAL FACT; OR

(2) WILLFULLY KNOWINGLY AND WILLFULLY MAKING A MATERIALLY FALSE OR FRAUDULENT STATEMENT OR WILLFULLY KNOWINGLY AND WILLFULLY USING A DOCUMENT THAT CONTAINS A STATEMENT OF MATERIAL FACT THAT THE USER KNOWS TO BE FALSE OR FRAUDULENT.

(C) (1) "HEALTH CARE SERVICE" MEANS HEALTH OR MEDICAL CARE PROCEDURES, GOODS, OR SERVICES THAT:

(I) PROVIDE TESTING, DIAGNOSIS, OR TREATMENT OF HUMAN DISEASE OR DYSFUNCTION; OR

(II) DISPENSE DRUGS, MEDICAL DEVICES, MEDICAL APPLIANCES, OR MEDICAL GOODS FOR THE TREATMENT OF HUMAN DISEASE OR DYSFUNCTION.

(2) "HEALTH CARE SERVICE" INCLUDES ANY PROCEDURE, GOODS, OR SERVICE THAT IS A REQUIRED BENEFIT OF A STATE HEALTH PLAN.

(D) "REPRESENTATION" INCLUDES AN ACKNOWLEDGMENT, CERTIFICATION, CLAIM, RATIFICATION, REPORT OF DEMOGRAPHIC STATISTICS, ENCOUNTER DATA, ENROLLMENT CLAIMS, FINANCIAL INFORMATION, HEALTH CARE SERVICES AVAILABLE OR RENDERED, AND QUALIFICATIONS OF A PERSON RENDERING HEALTH CARE OR ANCILLARY SERVICES.

(E) "SERIOUS INJURY" MEANS AN INJURY THAT:

(1) CREATES A SUBSTANTIAL RISK OF DEATH;

(2) CAUSES SERIOUS PERMANENT OR SERIOUS PROTRACTED DISFIGUREMENT;