

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

Article 27 - Crimes and Punishments

230A.

(a) THE PROVISIONS OF THIS SECTION DO NOT APPLY TO A VIOLATION OF §§ 230B THROUGH 230F OF THIS ARTICLE.

(B) (1) [Any] A person who fraudulently obtains, attempts to obtain, or aids another person in fraudulently obtaining or attempting to obtain money, property, food stamps, [medical care] or other assistance other than Medicaid to which [he] THE PERSON is not entitled, under a social, [health,] or nutritional program based on need, financed in whole or in part by the State of Maryland, and administered by the State or its political subdivisions is guilty of a misdemeanor. For purposes of this section, fraud shall include:

[(1)] (I) Wilfully making a false statement or representation;

[(2)] (II) Wilfully failing to disclose a material change in household or financial condition; or

[(3)] (III) Impersonating another person.

[(b)] (2) Upon conviction, after notice and the opportunity to be heard as to the amount of payment and how the payment is to be made, the person shall make full restitution of the money, property, food stamps, [medical care] or other assistance unlawfully received, or the value thereof, and shall be fined not more than \$1,000 or imprisoned for not more than three years, or both fined and imprisoned.

(C) (1) AN APPLICATION FOR MONEY, PROPERTY, FOOD STAMPS, OR OTHER ASSISTANCE, UNDER A SOCIAL OR NUTRITIONAL PROGRAM BASED ON NEED, FINANCED IN WHOLE OR IN PART BY THE STATE, AND ADMINISTERED BY THE DEPARTMENT OF HUMAN RESOURCES, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, OR THE LOCAL DEPARTMENT OF SOCIAL SERVICES, WHETHER UNDER THIS OR ANY OTHER ARTICLE IN THIS CODE, SHALL BE IN WRITING AND SIGNED BY THE APPLICANT.

(2) ANY PERSON WHO IN MAKING AND SIGNING THE APPLICATION REQUIRED IN PARAGRAPH (1) OF THIS SUBSECTION MAKES A FALSE OR FRAUDULENT STATEMENT WITH INTENT TO OBTAIN ANY SUCH MONEY, PROPERTY, FOOD STAMPS, OR OTHER ASSISTANCE IS GUILTY OF PERJURY AND ON CONVICTION IS SUBJECT TO THE PENALTIES PROVIDED BY LAW FOR PERJURY.

Fraud - [Medical Assistance] STATE HEALTH PLANS

[230B.

(a) In this subheading, the following words have the meanings indicated.

(b) "Medicaid fraud" means: