

(i) Knowingly defrauding or attempting to defraud a Medicaid health plan in connection with the delivery of or payment for health care services, including defrauding or attempting to defraud a Medicaid health plan of the right to honest services; or

(ii) Knowingly and willfully obtaining or attempting to obtain, by means of a false representation, money, property, or any thing of value in connection with the delivery of or payment for health care services that, in whole or in part, are reimbursed by or are a required benefit of a Medicaid health plan.

(7) "Representation" includes an acknowledgment, certification, claim, ratification, or report of demographic statistics, encounter data, enrollment claims, financial information, health care services available or rendered, and the qualifications of a person that is rendering health care or ancillary services.

(8) "Serious bodily injury" means a bodily injury that involves:

(i) A substantial risk of death;

(ii) Extreme physical pain;

(iii) Protracted and obvious disfigurement; or

(iv) Protracted loss or impairment of the function of a body part, organ, or mental faculty.

(b) (1) A person may not commit Medicaid health plan fraud.

(2) If the value of the money, health care services, or other goods or services involved is less than \$500 in the aggregate, a person who violates this subsection is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$50,000 or imprisonment for not more than 3 years or both.

(3) If the value of the money, health care services, or other goods or services involved is \$500 or more in the aggregate, a person who violates this subsection is guilty of a felony and, on conviction, is subject to a fine of not more than \$100,000 or imprisonment for not more than 5 years or both.

(c) (1) A person may not make false representations relating to Medicaid health plans.

(2) A person who violates this subsection is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$50,000 or imprisonment for not more than 3 years or both.

(d) (1) If a violation results in serious bodily injury to an individual, a person who violates subsection (b) or (c) of this section is guilty of a felony and, on conviction, is subject to a fine of not more than \$100,000 or imprisonment for not more than 20 years or both.