

STATE HEALTH PLAN IN ORDER TO HELP THE FACILITY, INSTITUTION, OR STATE HEALTH PLAN QUALIFY TO RECEIVE REIMBURSEMENT UNDER A STATE HEALTH PLAN.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 230E.

Defined terms: "False representation" § 8-508

"Person" § 1-101

"State health plan" § 8-508

8-514. SAME — OBTAINING BENEFIT BY FRAUD.

A PERSON MAY NOT KNOWINGLY AND WILLFULLY OBTAIN, ATTEMPT TO OBTAIN, OR AID ANOTHER INDIVIDUAL IN OBTAINING OR ATTEMPTING TO OBTAIN A DRUG PRODUCT OR MEDICAL CARE, THE PAYMENT OF ALL OR A PART OF WHICH IS OR MAY BE MADE FROM FEDERAL OR STATE FUNDS UNDER A STATE HEALTH PLAN, BY:

(1) FRAUD, DECEIT, MISREPRESENTATION, OR CONCEALMENT;

(2) COUNTERFEITING OR ALTERATION OF A MEDICAL ASSISTANCE PRESCRIPTION OR A PHARMACY ASSISTANCE PRESCRIPTION DISTRIBUTED UNDER A STATE HEALTH PLAN;

(3) CONCEALMENT OF A MATERIAL FACT; OR

(4) USING A FALSE NAME OR A FALSE ADDRESS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 230F(a).

In item (2) of this section, the defined term "counterfeit[ing]" is substituted for the former reference to "[f]orgery" for consistency within this article.

The Criminal Law Article Review Committee notes, for the consideration of the General Assembly, that in item (1) of this section, it is unclear whether the word "misrepresentation" differs from the term "false representation" defined in § 8-508 of this subtitle.

Defined terms: "Counterfeit" § 1-101

"Person" § 1-101

"State health plan" § 8-508

8-515. SAME — UNAUTHORIZED POSSESSION OF BENEFIT CARD.

A PERSON MAY NOT KNOWINGLY AND WILLFULLY POSSESS A MEDICAL ASSISTANCE CARD OR A PHARMACY ASSISTANCE CARD DISTRIBUTED UNDER A STATE HEALTH PLAN OR THE MEDICAL ASSISTANCE OR PHARMACY ASSISTANCE PROGRAM ESTABLISHED BY TITLE 15 OF THE HEALTH - GENERAL ARTICLE WITHOUT THE AUTHORIZATION OF THE PERSON TO WHOM THE CARD IS ISSUED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 230F(b).