

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

As Engrossed: H3/20/03

A Bill

HOUSE BILL 2392

5 By: Representative Stovall
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For An Act To Be Entitled

9 AN ACT TO PREVENT PERSONS CONVICTED OF MEDICAID
10 FRAUD FROM PARTICIPATING IN THE ARKANSAS MEDICAID
11 PROGRAM; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT TO PREVENT PERSONS CONVICTED OF
15 MEDICAID FRAUD FROM PARTICIPATING IN THE
16 ARKANSAS MEDICAID PROGRAM.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 20-77-902, concerning liability for certain
22 acts under the Arkansas Medicaid Program, is amended to add an additional
23 subdivision to read as follows:

24 (11) Knowingly:

25 (A) Participates, directly or indirectly, in the Arkansas
26 Medicaid Program, after having pled guilty or nolo contendere to, or been
27 found guilty of a charge of Medicaid Fraud, theft of public benefits, or
28 abuse of adults as defined in the Arkansas Criminal Code, §§ 5-1-101 et seq.;
29 or

30 (B) As a certified health provider, enrolled in the State
31 Medicaid Program pursuant to Title XIX of the Social Security Act, as
32 amended, or the fiscal agent of such a provider, employs, or engages as an
33 independent contractor, or engages as a consultant, or otherwise permits the
34 participation in the business activities of such provider, any person who has
35 plead guilty or nolo contendere to, or has been found guilty of, a charge of
36 Medicaid fraud, theft of public benefits, or abuse of adults as defined in



1 the Arkansas Criminal Code.

2 SECTION 2. EMERGENCY CLAUSE. It is found and determined by the
3 General Assembly of the State of Arkansas that the Medicaid Fraud False
4 Claims Act is in immediate need of these revisions to clarify an ambiguity in
5 the law; that the provisions of this act are essential to the successful
6 operation and activities of the Medicaid Fraud Control Unit and the
7 Department of Human Services. Therefore, an emergency is declared to exist
8 and this act being immediately necessary for the preservation of the public
9 peace, health, and safety shall become effective on:

10 (1) The date of its approval by the Governor;

11 (2) If the bill is neither approved nor vetoed by the Governor,
12 the expiration of the period of time during which the Governor may veto the
13 bill; or

14 (3) If the bill is vetoed by the Governor and the veto is
15 overridden, the date the last house overrides the veto.

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17 /s/ Stovall
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