

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

Act 1163 of 2003  
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.  
12

## 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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20 APPROVED: 4/8/2003