

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

# A Bill

HOUSE BILL 2392

4  
5 By: Representative Stovall  
6  
7

## For An Act To Be Entitled

8  
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

13  
14 AN ACT TO PREVENT PERSONS CONVICTED OF  
15 MEDICAID FRAUD FROM PARTICIPATING IN THE  
16 ARKANSAS MEDICAID PROGRAM.  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

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) Employs, hires as an independent contractor or as a  
31 consultant, or otherwise involves any person who has pled guilty or nolo  
32 contendere to, or has been found guilty of a charge of Medicaid fraud, theft  
33 of public benefits, or abuse of adults as defined in the Arkansas Criminal  
34 Code, §§ 5-1-101 et seq., in the operations of a provider certified pursuant  
35 to Title XIX of the Social Security Act participating in the Arkansas  
36 Medicaid Program.



03062003PBB1622.RCK529

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

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

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

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

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