

26-20-4 Kickbacks or bribes prohibited.

- (1) For purposes of this section, kickback or bribe:
 - (a) includes rebates, compensation, or any other form of remuneration which is:
 - (i) direct or indirect;
 - (ii) overt or covert; or
 - (iii) in cash or in kind; and
 - (b) does not include a rebate paid to the state under 42 U.S.C. Sec. 1396r-8 or any state supplemental rebates.
- (2) A person may not solicit, offer, pay, or receive a kickback or bribe in return for or to induce:
 - (a) the purchasing, leasing, or ordering of any goods or services for which payment is or may be made in whole or in part pursuant to a medical benefit program; or
 - (b) the referral of an individual to another person for the furnishing of any goods or services for which payment is or may be made in whole or in part pursuant to a medical benefit program.

Repealed and Re-enacted by Chapter 48, 2007 General Session