

**Effective 5/3/2023**

**26B-3-141 Medical assistance from division or Department of Workforce Services and compliance under adoption assistance interstate compact -- Penalty for fraudulent claim.**

- (1) As used in this section:
  - (a) "Adoption assistance" means the same as that term is defined in Section 80-2-809.
  - (b) "Adoption assistance agreement" means the same as that term is defined in Section 80-2-809.
  - (c) "Adoption assistance interstate compact" means an agreement executed by the Division of Child and Family Services with any other state in accordance with Section 80-2-809.
- (2)
  - (a) A child who is a resident of this state and is the subject of an adoption assistance interstate compact is entitled to receive medical assistance from the division and the Department of Workforce Services by filing a certified copy of the child's adoption assistance agreement with the division or the Department of Workforce Services.
  - (b) The adoptive parent of the child described in Subsection (2)(a) shall annually provide the division or the Department of Workforce Services with evidence verifying that the adoption assistance agreement is still effective.
- (3) The Department of Workforce Services shall consider the recipient of medical assistance under this section as the Department of Workforce Services does any other recipient of medical assistance under an adoption assistance agreement executed by the Division of Child and Family Services.
- (4)
  - (a) A person may not submit a claim for payment or reimbursement under this section that the person knows is false, misleading, or fraudulent.
  - (b) A violation of Subsection (4)(a) is a third degree felony.
- (5) The division and the Department of Workforce Services shall:
  - (a) cooperate with the Division of Child and Family Services in regard to an adoption assistance interstate compact; and
  - (b) comply with an adoption assistance interstate compact.

Renumbered and Amended by Chapter 306, 2023 General Session