

1st Sub. H.B. 242
MEDICAID FALSE CLAIMS ACT AMENDMENTS

SENATE COMMITTEE AMENDMENTS

AMENDMENT 2

FEBRUARY 20, 2007 9:48 AM

Senator **Sheldon L Killpack** proposes the following amendments:

1. *Page 3, Lines 62 through 65:*

62 the money or property.

63 [(2)] (3) "False statement" or "false representation" means a wholly or partially untrue

64 statement or representation which is :

(a) knowingly [~~and willfully~~] made [~~if the person making the~~

65 statement or representation has knowledge of the falsity thereof] ; and

(b) a material fact with respect to the claim .

2. *Page 6, Lines 153 through 154:*

153 (1) (a) Except as provided in Subsection (1)(b) the - ~~{The}~~ culpable mental state required for
a criminal violation of this chapter is

154 knowingly, intentionally, or recklessly as defined in Section 76-2-103. =

(b) The culpable mental state required for a criminal violation of this chapter for kickbacks and
bribes under Section 26-20-4 is knowingly and intentionally as defined in Section 76-2-103.