

**UTAH FALSE CLAIMS ACT AMENDMENTS**

2023 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Todd D. Weiler**

House Sponsor: Nelson T. Abbott

---

---

**LONG TITLE**

**General Description:**

This bill amends provisions of the Utah False Claims Act.

**Highlighted Provisions:**

This bill:

▶ amends the definition of a medical benefit to include payments made to any licensed health care provider.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**26-20-2**, as last amended by Laws of Utah 2007, Chapter 48

---

---

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **26-20-2** is amended to read:

**26-20-2. Definitions.**

As used in this chapter:

(1) "Benefit" means the receipt of money, goods, or any other thing of pecuniary value.

(2) "Claim" means any request or demand for money or property:



- 28 (a) made to any:
- 29 (i) employee, officer, or agent of the state;
- 30 (ii) contractor with the state; or
- 31 (iii) grantee or other recipient, whether or not under contract with the state; and
- 32 (b) if:
- 33 (i) any portion of the money or property requested or demanded was issued from or
- 34 provided by the state; or
- 35 (ii) the state will reimburse the contractor, grantee, or other recipient for any portion of
- 36 the money or property.
- 37 (3) "False statement" or "false representation" means a wholly or partially untrue
- 38 statement or representation which is:
- 39 (a) knowingly made; and
- 40 (b) a material fact with respect to the claim.
- 41 (4) "Health care provider" means the same as that term is defined in Section 26-1-37.
- 42 [~~(4)~~] (5) "Knowing" and "knowingly":
- 43 (a) for purposes of criminal prosecutions for violations of this chapter, is one of the
- 44 culpable mental states described in Subsection 26-20-9(1); and
- 45 (b) for purposes of civil prosecutions for violations of this chapter, is the required
- 46 culpable mental state as defined in Subsection 26-20-9.5(1).
- 47 [~~(5)~~] (6) "Medical benefit" means a benefit paid or payable to:
- 48 (a) a health care provider; or
- 49 (b) a recipient or a provider under a program administered by the state under:
- 50 [~~(a)~~] (i) Titles V and XIX of the federal Social Security Act;
- 51 [~~(b)~~] (ii) Title X of the federal Public Health Services Act;
- 52 [~~(c)~~] (iii) the federal Child Nutrition Act of 1966 as amended by P.L. 94-105; and
- 53 [~~(d)~~] (iv) any programs for medical assistance of the state.
- 54 [~~(6)~~] (7) "Person" means an individual, corporation, unincorporated association,
- 55 professional corporation, partnership, or other form of business association.