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Date: (Filing No. H-)

HEALTH AND HUMAN SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 991, L.D. 1388, Bill, “An Act To Clarify Civil Liability of Persons Making False Claims to the Department of Health and Human Services”

Amend the bill by striking out all of section 1 and inserting the following:

Sec. 1. 22 MRSA §15, first ¶, as amended by PL 1995, c. 191, §1, is further amended to read:

Any person, firm, association, partnership, corporation or other legal entity who makes or causes to be made or presents or causes to be presented for payment or approval any claim upon or against the department or upon any funds administered by the department, knowing such claim to be materially false, fictitious or fraudulent, or who, ~~for the purpose of obtaining or aiding another to obtain the payment or approval of such a claim,~~ knowingly makes any false written statement or knowingly submits any false document ~~that the person does not believe to be true, material to a false, fictitious or fraudulent claim~~ or who knowingly enters into any agreement, combination or conspiracy to defraud the department by obtaining the payment or approval of any materially false, fictitious or fraudulent claim, ~~shall~~ or who knowingly makes or causes to be made a false written statement or record material to an obligation to pay or transmit money or property to the department or knowingly conceals or knowingly and improperly materially avoids or materially decreases an obligation to pay or transmit money or property to the department is, in addition to any criminal liability that may be provided by law, ~~be~~ subject to civil suit by this State in the Superior Court for recovery of civil penalties to include the following:'

SUMMARY

This amendment adds clarifications that a person must knowingly make false statements or submit false documents that are material to a fraudulent claim to the

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT “ ” to H.P. 991, L.D. 1388

1 Department of Health and Human Services to be liable for conduct associated with false
2 claims.

3

FISCAL NOTE REQUIRED

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(See attached)