

District of Columbia Official Code 2001 Edition Currentness
Division I. Government of District.
Title 4. Public Care Systems. (Refs & Annos)
Chapter 8. Medicaid Provider Fraud Prevention.

§ 4-802. Penalties; prohibited acts.

- (a) A person shall be guilty of a misdemeanor punishable by a fine of not more than \$500 or imprisonment not to exceed 1 year, or both, for each violation of the following prohibitions in this section.
- (b) No one may, with intent to defraud, by means of a false claim, false statement, failure to disclose information, or other fraudulent scheme or device, obtain or attempt to obtain:
- (1) Authorization to become or remain a provider;
 - (2) A higher rate of payment than that to which the person is entitled as a provider;
 - (3) Payment, as a provider, for items or services that the person knows or has reason to know were not provided as claimed;
 - (4) Payment which may not be made under the program under which the claim was made; or
 - (5) Payment submitted in violation of an agreement between the person and the District of Columbia.
- (c) No one may solicit, accept, or agree to accept any type of remuneration for the following:
- (1) Referring a recipient to a particular provider of any item or service or for which payment may be made under the District of Columbia Medicaid Program; or
 - (2) Recommending the purchase, lease, or order of any good, facility, service, or item for which payment may be made under the District of Columbia Medicaid Program.
- (d) No one may confer, offer, or agree to confer or offer any type of remuneration for the conduct described in subsection (c) of this section.
- (e) No one may charge, solicit, accept, or attempt to charge, solicit, accept or receive anything of value from a recipient or provider in addition to the amount of money payable under the District of Columbia Medicaid Program.
- (f) No one may solicit, receive, or attempt to solicit or receive anything of value as a precondition for admitting a recipient to a hospital, skilled nursing facility, intermediate care facility, or any other facility, or as a condition for providing any item or service to a recipient.

CREDIT(S)

(Mar. 16, 1985, D.C. Law 5-193, § 3, 32 DCR 1010.)

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