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SENATE BILL NO. 340

Offered January 9, 2008

Prefiled January 8, 2008

A BILL to amend the Code of Virginia by adding sections numbered 18.2-188.2 and 32.1-135.3, relating to reducing medical fraud; penalty.

Patron—Cuccinelli

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 18.2-188.2 and 32.1-135.3 as follows:

§ 18.2-188.2. Defrauding hospitals and health care providers.

It shall be unlawful for any person, with the intent to cheat or defraud a hospital or health care provider, to give a false name, address, or social security number or other form of identification, in order to avoid payment for medical services rendered by such hospital or health care provider.

Any person who violates any provision of this section shall, if the value of service obtained is \$1,000 or more, be guilty of a Class 6 felony; or if the value is less than \$1,000, a Class 1 misdemeanor.

This section shall not be construed to in any way interfere with the provision of emergency medical services as required by federal or state law.

§ 32.1-135.3. Certain measures to reduce fraud against hospitals and health care providers.

A. Any hospital licensed pursuant to this chapter shall post, in an appropriate place, in a clear, conspicuous, and prominent manner, signs that state that anyone convicted of defrauding a hospital or health care provider, pursuant to § 18.2-188.2 shall be prosecuted to the fullest extent of the law and shall state the applicable penalties.

B. Any hospital licensed pursuant to this chapter may, for identification purposes, fingerprint any individual to whom medical services are rendered, when such individual does not have health insurance, is not eligible for Medicaid, and cannot show an ability to pay for the services rendered.

2. That the provisions of this act may result in a net increase in periods of imprisonment or commitment. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation cannot be determined for periods of imprisonment in state adult correctional facilities and is \$0 for periods of commitment to the custody of the Department of Juvenile Justice.

INTRODUCED

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