

HB 2098 -- Medicaid Fraud and Abuse

Sponsor: Harris (23)

This bill changes the laws regarding the investigation of fraud and abuse in Missouri's Medicaid Program. The bill changes the definition of "abuse" to include the financial exploitation by any person, firm, or corporation and prohibits any person from intentionally failing to cooperate with, obstructing, or making a false statement or misrepresentation of a material fact during a Medicaid fraud investigation. Any violation will be a class A misdemeanor, and subsequent violations will be a class D felony.

The bill also changes the laws regarding the imposition of penalties for violations by any residential care facility I or II, immediate care facility, or skilled nursing facility. The bill:

- (1) Adds class II violations to the list of civil penalties imposed by the Department of Health and Senior Services for which the liability for the penalty will be incurred immediately upon the imposition;
- (2) Removes class II violations from the list of civil penalties for which penalties will only be incurred if the violation remains uncorrected and not in accordance with the accepted plan of correction at the time of reinspection; and
- (3) Removes class II violations from the list of violations for which the department cannot impose a fine for self-reporting violations, if the violation is corrected within a specified period of time and there is no reoccurrence of the particular violation for 12 months following the date of self-reporting.