

**PUBLIC CHAPTER NO. 103**

**HOUSE BILL NO. 2250**

**By Representatives Coleman, Odom**

**Substituted for: Senate Bill No. 2193**

**By Senators Kyle, Herron, Jackson**

AN ACT to amend Tennessee Code Annotated, Title 71, Chapter 5, Part 26, relative to prevention of fraud and abuse in TennCare.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 71-5-2601, is amended by deleting the language in subsection (a)(2)(A) in its entirety and substituting instead the following language:

(2)(A) A person, firm, corporation, partnership or any other entity, including a vendor, other than an enrollee, recipient, or applicant, commits an offense who knowingly obtains, or attempts to obtain, or aids or abets any person or entity to obtain, by means of a willfully false statement, report, representation, claim or impersonation, or by concealment of any material fact, or by any other fraudulent means, including knowingly presenting or causing to be presented to TennCare or any of its contractors, subcontractors or vendors a false or fraudulent claim for payment or approval, or in any manner not authorized by any rule, regulation, procedure, or statute governing TennCare, medical assistance payments provided pursuant to any rule, regulation, procedure, or statute governing TennCare to which such person or entity is not entitled, or of a greater value than that to which such person or entity is authorized. For purposes of this subsection (a), "attempts to obtain" includes making or presenting to any person a claim for any payment under any rule, regulation, procedure, or statute governing TennCare, knowing such claim to be false, fictitious or fraudulent.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: April 23, 2007**

  
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JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
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RON RAMSEY  
SPEAKER OF THE SENATE

APPROVED this 7th day of May 2007

  
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PHIL BREDESEN, GOVERNOR