

HEALTH CARE FRAUD LAWS

An Informational Bulletin brought to you by **Alliance Health**



"This person used someone else's nursing license to get a job taking care of vulnerable children. Her behavior put kids at risk, was unlawful, and wasted Medicaid resources. I'm grateful for District Attorney Merriweather's partnership in holding accountable health care providers who break the law."

-Attorney General
Josh Stein

<https://nodoj.gov/attorney-general-josh-stein-announces-health-care-fraud-sentencing-5/>

Medical Assistance Provider Fraud

NCGS § 108A-63

A person guilty of this offense is a provider of medical assistance under the state medical assistance (Medicaid) program that:

- **Willfully and knowingly** makes or causes to be made a false statement or a false representation of a **material** fact.
- In an application for payment or use in determining entitlement to such payment, or
- With respect to the conditions or operation of a provider or facility so that the provider or facility may qualify or remain qualified to provide assistance under the program.

AND/OR

- Willfully and knowingly executes, or attempts to execute, a scheme to:
 - Defraud the medical assistance program, or
 - Obtain, by means of false or fraudulent pretenses, representations, or promises of material fact, any of the money or property owned by, or under the custody or control of, the medical assistance program.

What do those words mean?

Willfully and knowingly: A crime that is carried out intentionally and with a full awareness.

Material: If a fact is material, it will likely impact the outcome of the case in court.

Report Mass Health Fraud

Daniel F McAuley



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