

THE GENERAL ASSEMBLY OF PENNSYLVANIA

**HOUSE BILL**  
**No. 1916** Session of  
1985

INTRODUCED BY BURNS AND WILSON, NOVEMBER 25, 1985

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, NOVEMBER 25, 1985

AN ACT

1 Amending the act of June 23, 1970 (P.L.419, No.140), entitled  
2 "An act establishing in the Department of Health a program  
3 for the care of persons suffering from chronic renal  
4 diseases, providing for an advisory committee in connection  
5 therewith, designating powers and duties in relation thereto,  
6 and making an appropriation therefor," adding penalties for  
7 false claims.

8 The General Assembly of the Commonwealth of Pennsylvania  
9 hereby enacts as follows:

10 Section 1. The act of June 23, 1970 (P.L.419, No.140),  
11 referred to as the Renal Disease Treatment Act, is amended by  
12 adding a section to read:

13 Section 8.1. (a) (1) Any person, other than a provider,  
14 who submits a false or fraudulent application or claim under  
15 this act, or who aids or abets another in the submission of a  
16 false or fraudulent application or claim, or who is eligible  
17 under a private, State or Federal program for renal disease  
18 assistance and who claims or receives duplicative benefits  
19 hereunder or who otherwise violates any provision of this act,  
20 commits a misdemeanor of the second degree with a maximum

1 penalty of five thousand dollars (\$5,000) and two years  
2 imprisonment.

3 (2) Any person, other than a provider, who is found guilty  
4 under this act shall be subject to repay three times the value  
5 of the material gain he received.

6 (b) (1) Any provider who submits a false or fraudulent  
7 application or claim under this act, or who aids or abets  
8 another in the submission of a false or fraudulent application  
9 or claim, or who otherwise violates any provisions of this act  
10 commits a felony of the third degree for each such violation  
11 with a maximum penalty of fifteen thousand dollars (\$15,000) and  
12 seven years imprisonment. Whenever any person has been  
13 previously convicted of conduct that would constitute a  
14 violation of this act, a subsequent violation shall be  
15 classified as a felony of the second degree with a maximum  
16 penalty of twenty-five thousand dollars (\$25,000) and ten years  
17 imprisonment.

18 (2) Any provider found guilty of violating this act shall be  
19 subject to repay three times the value of the material gain he  
20 received.

21 (3) Any provider found guilty under this act shall be  
22 ineligible to participate in the program for a period of five  
23 years from the date of conviction.

24 (4) Any provider found guilty under this act shall be  
25 subject to a suspension of his license to practice for a period  
26 of at least one year.

27 (c) The Attorney General and the district attorneys of the  
28 several counties shall have concurrent authority to institute  
29 criminal proceedings under this section.

30 Section 2. This act shall take effect in 60 days.