

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2348 Session of
1992

INTRODUCED BY DeLUCA, JOHNSON, HARPER, STABACK, COLAIZZO,
PETRARCA, CARONE, KOSINSKI, GERLACH, PESCI, VEON, SURRA,
FAJT, BILLOW, KRUSZEWSKI, GIGLIOTTI, CIVERA, PISTELLA AND
TOMLINSON, JANUARY 29, 1992

REFERRED TO COMMITTEE ON HEALTH AND WELFARE, JANUARY 29, 1992

AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An
2 act to consolidate, editorially revise, and codify the public
3 welfare laws of the Commonwealth," increasing penalties for
4 fraud.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Section 1407(b)(1) of the act of June 13, 1967
8 (P.L.31, No.21), known as the Public Welfare Code, added July
9 10, 1980 (P.L.493, No.105), is amended to read:

10 Section 1407. Provider Prohibited Acts, Criminal Penalties
11 and Civil Remedies.--* * *

12 (b) (1) A person who violates any provision of subsection
13 (a), excepting subsection (a)(11), is guilty of a felony of the
14 [third] second degree for each such violation with a maximum
15 penalty of [fifteen thousand dollars (\$15,000) and seven] thirty
16 thousand dollars (\$30,000) and ten years imprisonment. A
17 violation of subsection (a) shall be deemed to continue so long
18 as the course of conduct or the defendant's complicity therein

1 continues; the offense is committed when the course of conduct
2 or complicity of the defendant therein is terminated in
3 accordance with the provisions of 42 Pa.C.S. § 5552(d) (relating
4 to other offenses). Whenever any person has been previously
5 convicted in any state or Federal court of conduct that would
6 constitute a violation of subsection (a), a subsequent
7 allegation, indictment or information under subsection (a) shall
8 be classified as a felony of the [second] first degree with a
9 maximum penalty of [twenty-five thousand dollars (\$25,000) and
10 ten] thirty-five thousand dollars (\$35,000) and fifteen years
11 imprisonment.

12 * * *

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