

HB1211\_L.006

## HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB18-1211 be amended as follows:

- 1 Amend printed bill, page 6, line 7, strike "Attorney general" and  
2 substitute "Medicaid fraud control unit".
- 3 Page 6, line 9, strike "ATTORNEY GENERAL" and substitute "UNIT".
- 4 Page 6, line 10, after "PROSECUTE" insert "CIVIL".
- 5 Page 6, line 11, strike "BOTH CIVIL,".
- 6 Page 6, lines 12 and 13, strike "25.5-4-310, AND CRIMINAL, PURSUANT TO  
7 THIS PART 8 OR TITLE 18;" and substitute "25.5-4-310;".
- 8 Page 6, strike lines 14 and 15 and substitute:  
9 "(b) INVESTIGATE AND PROSECUTE CRIMINAL MEDICAID FRAUD  
10 AND WASTE PURSUANT TO THIS PART 8 AND TITLE 18;  
11 (c) INVESTIGATE AND PROSECUTE PATIENT ABUSE, NEGLECT, OR  
12 EXPLOITATION PROVIDED THAT PRIOR TO THE FILING OF ANY CRIMINAL  
13 CHARGES INVOLVING PATIENT ABUSE, NEGLECT, OR EXPLOITATION BY  
14 EITHER COMPLAINT OR GRAND JURY INDICTMENT THE UNIT SHALL FIRST  
15 CONSULT WITH THE DISTRICT ATTORNEY OF THE JUDICIAL DISTRICT WHERE  
16 THE PROSECUTION WOULD BE INITIATED. IF AFTER SUCH CONSULTATION,  
17 THE DISTRICT ATTORNEY AGREES WITH THE FILING OF CHARGES, THE UNIT  
18 SHALL CROSS-DESIGNATE THE DISTRICT ATTORNEY OR HIS OR HER  
19 DESIGNATED ASSISTANT OR DEPUTY DISTRICT ATTORNEY AS A SPECIAL  
20 ASSISTANT ATTORNEY GENERAL ON THE CASE. IF AFTER SUCH  
21 CONSULTATION THE DISTRICT ATTORNEY DOES NOT AGREE WITH THE  
22 FILING OF CHARGES, THE UNIT MAY FILE THE CASE INDEPENDENTLY;".
- 23 Renumber succeeding paragraphs accordingly.
- 24 Page 6, strike lines 23 through 25.
- 25 Page 6, line 27, strike "BY THE ATTORNEY GENERAL".
- 26 Page 7, line 3, strike "BY THE ATTORNEY GENERAL".
- 27 Page 7, line 6, strike "BY THE ATTORNEY GENERAL".
- 28 Page 13, line 5, strike "OR" and substitute "PROSECUTION DIRECTLY  
29 RELATED TO CRIMINAL MEDICAID FRAUD AND WASTE, AS WELL AS  
30 CRIMINAL PATIENT ABUSE, NEGLECT, AND EXPLOITATION, OR ANY OTHER".

\*\* \*\* \*\* \*\* \*\*