

**CONFERENCE COMMITTEE REPORT
DIGEST FOR ESB 222**

Citations Affected: IC 35-46.

Synopsis: Health care fraud. Conference committee report for ESB 222. Prohibits an owner or employee of certain health care providers from receiving money or assets as a loan or gift from an individual who, at the time the transaction is made, is receiving care from the provider. Makes the penalty for committing the offense a Class A infraction. Permits an otherwise prohibited gift if it is made in writing before two disinterested witnesses. Permits a court to order the health care provider to return assets or repay the money with interest, or pay treble damages and reasonable attorney's fees. (This conference committee report deletes an exception for gifts under \$500, removes the exception for gifts not made in the corporate name of the provider, specifies that a transaction must be made by a competent person, and permits a court to impose treble damages and attorney's fees only if the court finds that a person deliberately violated the reporting requirements.)

Effective: July 1, 2002.

Adopted

Rejected

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill No. 222 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 2, line 9, delete "with a value not".
- 2 Page 2, delete line 10.
- 3 Page 2, line 11, delete "year per person,".
- 4 Page 2, run in lines 9 and 11.
- 5 Page 2, line 41, delete ";" and insert ".".
- 6 Page 2, delete line 42.
- 7 Page 3, line 5, after "competent person" insert "**(including a person**
- 8 **other than the health care provider exercising a durable power of**
- 9 **attorney on behalf of the donor)**".
- 10 Page 3, line 22, after "addition," insert "**if the court finds that the**
- 11 **person knowingly violated the requirements of subsection (b),**".
(Reference is to ESB 222 as reprinted February 20, 2002.)

Conference Committee Report
on
Engrossed Senate Bill 222

Signed by:

Senator Miller
Chairperson

Representative Sturtz

Senator Howard

Representative Frizzell

Senate Conferees

House Conferees