

By: Nichols

S.B. No. 810

A BILL TO BE ENTITLED

AN ACT

relating to a defense to prosecution of the offense of Medicaid fraud.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. SECTION 35A.02, Penal Code, is amended by adding Subsection (g) to read as follows:

(g) It is not a defense to prosecution under this chapter that the Medicaid program has received or recouped funds representing repayment for the fraudulent act or acts, in whole or in part, which are the basis for the criminal charge for which the defendant is indicted.

SECTION 2. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 3. This Act takes effect September 1, 2013.