

1 SB431  
2 115397-1  
3 By Senator Bedford  
4 RFD: Finance and Taxation General Fund  
5 First Read: 16-FEB-10

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8 SYNOPSIS: This bill would provide for a per  
9 transaction monetary forfeiture of \$100 to \$15,000  
10 to be paid to the State General Fund by  
11 pharmaceutical providers for overcharges made to  
12 the Alabama Medicaid Agency.

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14 A BILL  
15 TO BE ENTITLED  
16 AN ACT

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18 Relating to fraudulent practices of pharmaceutical  
19 providers of medicines and pharmaceuticals to the Alabama  
20 Medicaid Agency; to provide that in addition to any other  
21 penalty, fine, or sanction that applies to pharmaceutical  
22 providers which defraud the agency by deliberately  
23 overcharging for pharmaceuticals, the provider shall be liable  
24 for a per transaction forfeiture of not less than \$100 nor  
25 more than \$15,000 per transaction, which shall be paid to the  
26 State General Fund.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1                   Section 1. In addition to any other applicable  
2 penalty, fine, or sanction against a provider of  
3 pharmaceuticals to the Alabama Medicaid Agency based on a  
4 fraudulent act of deliberately overcharging the agency for  
5 pharmaceutical products, the provider shall be liable for a  
6 per transaction forfeiture of not less than one hundred  
7 dollars (\$100) nor more than fifteen thousand dollars  
8 (\$15,000) for each such transaction with the agency.

9                   Section 2. All forfeiture amounts for which a  
10 provider is liable pursuant to Section 1 shall be paid to the  
11 State General Fund.

12                   Section 3. This act shall become effective  
13 immediately following its passage and approval by the  
14 Governor, or its otherwise becoming law.