

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 271** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 4, in line 39, by striking "\$100,000 or more, medicaid fraud is a severity level 5,"; in line 40, by striking "nonperson felony" and inserting "\$250,000 or more, medicaid fraud is a severity level 3, nonperson felony;

(B) at least \$100,000 but less than \$250,000, medicaid fraud is a severity level 5, nonperson felony";

And by redesignating subparagraphs accordingly;

On page 5, in line 4, by striking "For each individual count of medicaid fraud as defined in"; by striking all in lines 5 through 22; in line 23, by striking "nonperson felony" and inserting "For each individual count of medicaid fraud as defined in subsection (a)(1)(A), (a)(1)(B), (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(1)(F), (a)(1)(G) or (a)(2):

(A) When great bodily harm results from such act, regardless of the aggregate amount of payments illegally claimed, medicaid fraud is a severity level 4, person felony, except as provided in subsection (b)(2)(B); and

(B) when death results from such act, regardless of the aggregate amount of payments illegally claimed, medicaid fraud is a severity level 1, person felony";

Also on page 5, following line 30, by inserting:

"(d) In sentencing for medicaid fraud, subsection (c)(3) of K.S.A. 2013 Supp. 21-6815, and amendments thereto, shall not apply and an act or omission by the defendant that resulted in any medicaid recipient receiving any service that was of lesser quality or amount than the service to which such recipient was entitled may be considered an aggravating factor in determining whether substantial and compelling reasons for departure exist pursuant to K.S.A. 2013 Supp. 21-6801 through 21-6824, and amendments thereto.";

And by redesignating subsections accordingly;

And your committee on conference recommends the adoption of this report.

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Conferees on part of House

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Conferees on part of Senate