

## False Claims Act Regulations by State

Under the False Claims Act, **31 U.S.C. §§ 3729-3733**, those who knowingly submit, or cause another person or entity to submit, false claims for payment of government funds are liable to the U.S. Government for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages the Government sustains.

The purpose of this chart is to list individual State regulations regarding False Claims that discourage fraudulent billing and claims. This chart reflects the laws in effect as of February 12, 2010, that enable States and Cities to recover money at the state and/or municipal level; however, laws may frequently change. **Please review individual State regulations for general provisions definitions.** If you have any further questions, please contact the National Legal & Compliance Department.

State/City	False Claims Act	Medicaid Only	Meets DRA Requirements	Meets OIG Definition	Regulation	Provisions	Whistleblower Provisions
Alabama	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Alaska	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Arizona	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Arkansas	Yes	Yes	No	No	Ark. Code Ann. §20-77-901 et seq.	Liable to the state for full restitution and for a civil penalty of not less than \$5,000 and not more than \$10,000 for each violation, plus three times the amount of damages.	Follow Federal Regulations
California	Yes	No	Yes	Yes	Cal. Gov't Code §12650 et seq.	Liable to the state or to the political subdivision for three times the amount of damages, costs of a civil action brought to recover any penalties or damages, and a civil penalty of not less than \$5,000 and not more than \$10,000 for each false claim.	General Provisions
Chicago	Yes	No	Yes	Yes	Title 1. Municipal Code of Chicago, Chap. 1-21 through 2-152	Liable to the city for a civil penalty of not less than \$500 and not more than \$1,000, plus up to three times the amount of damages.	General Provisions
Colorado	Yes	No	No	No	Col.Rev. Stat. §25.5-4-304 et seq.	Upon finding the person has intentionally violated §25.5-4-305, the court shall order such person to pay full restitution of the amount received plus a civil penalty of \$5,000 per claim or two times the amount received from the false claim, or both. If the court finds the person has, with reckless disregard, violated §25.5-4-305, the court shall order such person to pay full restitution of the amount received plus a civil penalty of \$1,000 per claim, but in no event more than \$50,000 or two times the amount received from the false claim.	Follow Federal Regulations
Connecticut	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Delaware	Yes	No	No	No	Del. Code Ann. Title 6 § 1201 et seq.	Liable to the Government for a civil penalty of not less than \$5,500 and not more than \$11,000 for each act constituting a violation of this section, plus three times the amount of damages.	General Provisions

District of Columbia	Yes	No	No	No	D.C. Code Ann. § 2-308.14 et seq.	Liable to the District for three times the amount of damages which the District sustains and also liable to the District for the costs of a civil action brought to recover penalties or damages, and may be liable to the District for a civil penalty of not less than \$5,000, and not more than \$10,000, for each false claim.	General Provisions
Florida	Yes	No	No	No	Fla. Stat. §68.091 et seq.	Liable to the state for a civil penalty of not less than \$5,500 and not more than \$11,000, plus three times the amount of damages.	General Provisions
Georgia	Yes	Yes	Yes	Yes	Ga. Stat. Ann. §49-4-168 et seq.	Liable to the state for a civil penalty of not less than \$5,500 and not more than \$11,000 for each false claim, plus three times the amount of damages.	General Provisions
Hawaii	Yes	No	Yes	Yes	Haw. Rev. Stat. §661-21 et seq.	Liable to the state for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages.	Follow Federal Regulations
Idaho	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Illinois	Yes	No	Yes	Yes	740 ILCS 175/1 et seq.	Liable to the state for a civil penalty of not less than \$5,500 and not more than \$11,000, plus three times the amount of damages. Also liable for the costs of a civil action brought to recover the penalties or damages.	General Provisions
Indiana	Yes	No	Yes	Yes	Indiana Code 5-11-5.5 et seq.	Liable to the state for a civil penalty of at least \$5,000, up to three times the amount of damages, and for the costs of a civil action brought to recover the penalty or damages.	General Provisions
Iowa	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Kansas	Yes	No	No	No	Kan. Stat. Ann. §75-7501 et seq.	Liable to the state or any affected political subdivision, for three times the amount of damages, a civil penalty of not less than \$1,000 and not more than \$11,000 for each violation, and all reasonable costs and attorney fees incurred in a civil action brought to recover any of those penalties or damages.	Follow Federal Regulations
Kentucky	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations

Louisiana	Yes	Yes	No	No	La. Rev. Stat §46-438.1 et seq.	Except as limited by this Section, any person who is found to have violated R.S. 46:438.3 shall be subject to a civil fine in an amount not to exceed three times the amount of actual damages sustained by the medical assistance programs as a result of the violation. In addition, one or more of the following civil monetary penalties may be imposed: (a) Up to \$10,000 for each false or fraudulent claim, misrepresentation, illegal remuneration, or other prohibited act; (b) Payment of interest on the amount of the civil fine imposed pursuant to Subsection B of this Section at the maximum rate of legal interest provided by Civil Code Article 2924 from the date the damage occurred to the date of payment. Any person who is found to have violated this Subpart shall be liable for all costs, expenses, and fees related to investigations and proceedings associated with the violation, including attorney fees.	General Provisions
Maine	Yes	No	No	No	Mai. Title 22 §15	Subject to civil suit by this State in the Superior Court for recovery of civil penalties to include the following: (1) Restitution for all excess benefits or payments made; (2) Payment of interest on the amount of the excess benefits or payments as set forth in subsection 1 at the maximum legal rate in effect on the date the payment was made and computed for the date payment was made to the date on which repayment is made; (3) Payment of civil penalties, without regard to the amount in controversy, in an amount which threefold the amount of such excess benefits or payments as set forth in subsection 1, but in any case not less than \$2,000 for each false claim for assistance, benefits or payments, or for each document submitted in support of such false claim, whichever is the greater amount; (4) Cost of the suit; (5) Costs of investigation; and (6) Attorney's fees.	Follow Federal Regulations
Maryland	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Massachusetts	Yes	No	Yes	Yes	Mass. Ann. Laws Ch. 12, §5A et seq.	Liable to the commonwealth or political subdivision for a civil penalty of not less than \$5,000 and not more than \$10,000 per violation, plus three times the amount of damages, including consequential damages. Liable to the commonwealth or political subdivision for the expenses of the civil action brought to recover any such penalty or damages.	General Provisions
Michigan	Yes	Yes	Yes	Yes	MCL 400.601 et seq.	Shall forfeit and pay to the state the full amount received, and for each claim a civil penalty of not less than \$5,000 or more than \$10,000 plus triple the amount of damages.	General Provisions

Minnesota	Yes	No	No	No	Minn. Stat. § 15C.01 et seq.	Liable to the state or the political subdivision for a civil penalty of not less than \$5,500 and not more than \$11,000 per false or fraudulent claim, plus three times the amount of damages.	General Provisions
Mississippi	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Missouri	Yes	No	No	No	Mo. Rev. Stat § 537.800 et seq.	Liable to the state, or political subdivision, or public school district, or public charter school of the state affected for a civil penalty of not less than \$10,000 and not more than \$100,000, plus three times the amount of damages.	General Provisions
Montana	Yes	No	No	No	Mon. Code Ann. § 17-8-402 et seq.	Liable to a governmental entity for a civil penalty of not less than \$5,000 and not more than \$10,000 for each act specified in this section, plus three times the amount of damages.	General Provisions
Nebraska	Yes	No	No	No	Neb. Rev. Stat. § 68-934 et seq.	Subject to, in addition to any other remedies that may be prescribed by law, a civil penalty of not more than \$10,000. In addition to any civil penalty, a person who presents a false medicaid claim unders subsection (1) of this section may be subject to damages in the amount of three times the amount of the false claim submitted to the state.	Follow Federal Regulations
Nevada	Yes	No	Yes	Yes	Nev. Rev. Stat. §357.010 et seq.	Liable to the State or a political subdivision, whichever is affected, for three times the amount of damages sustained by the State or political subdivision, for the costs of a civil action brought to recover those damages and for a civil penalty of not less than \$5,000 or more than \$10,000 for each act.	General Provisions
New Hampshire	Yes	No	No	No	N.H. Rev. Stat. Ann. §167:61-b et seq.	Liable to the state for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages.	General Provisions
New Jersey	Yes	No	No	No	NJ Stat. § 2A:32C-1 et seq.	Liable to the State for a civil penalty of not less than and not more than the civil penalty allowed under the federal False Claims Act (31 U.S.C. §3729 et seq.), as may be adjusted in accordance with the inflation adjustment procedures prescribed in the Federal Civil Penalties Inflation Adjustment Act of 1990, Pub.L.101-410, for each false or fraudulent claim, plus three times the amount of damages.	General Provisions
New Mexico	Yes	No	No	No	N.M. Stat. Ann. §§ 27-14-1 et seq. N.M. Stat. Ann. §§ 49-9-1 et seq.	Liable for: (1) three times the amount of damages sustained by the state because of the violation; (2) a civil penalty of not less than \$5,000 and not more than \$10,000 for each violation; (3) the costs of a civil action brought to recover damages or penalties; and (4) reasonable attorney fees, including the fees of the attorney general or state agency counsel.	General Provisions

New York	Yes	Yes	Yes	Yes	NY State Fin. Law Ch. 13, §187 et seq.	Liable to the state for a civil penalty of not less than \$6,000 and not more than \$12,000, plus three times the amount of damages and to any local government for three times the amount of damages.	General Provisions
New York City	Yes	No	N/A	Yes	Title 7, Ch. 8 §7-801 et seq. Title 46, Ch. 3 §3-10 et seq.	Liable to the city for three times the amount of damages and a civil penalty of between \$5,000 and \$15,000 for each violation.	General Provisions
North Carolina	Yes	No	No	No	N.C. Gen. Stat. Ann. §108A-70.10 et seq.	Liable to the state for a civil penalty for not less than \$5,000 and not more than \$10,000, plus three times the amount of damages.	Follow Federal Regulations
North Dakota	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Oklahoma	Yes	No	No	No	Okl. Code Title 63 §5053.1 et seq.	Liable to the state for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages.	General Provisions
Ohio	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Oregon	Yes	No	No	No	Ore. Rev. Stat. § 165.690 et seq.	Liable to the state for three times the amount of damages, the costs of a civil action brought to recover any of those damages, and for a civil penalty of not less than \$5,000 and not more than \$10,000 for each violation.	General Provisions
Pennsylvania	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Rhode Island	Yes	No	Yes	Yes	R.I. Gen. Laws §§ 9-1.1-1 et seq.	Liable to the state for a civil penalty of not less than \$5,000 and not more than \$10,000, plus three times the amount of damages and costs of a civil action brought to recover any such penalty or damages.	Follow Federal Regulations
South Carolina	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
South Dakota	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Tennessee	Yes	No	Yes	Yes	Tenn. Stat. §71-5-181 et seq.	Liable to the state for a civil penalty of not less than \$5,000 and not more than \$25,000, plus three times the amount of damages.	General Provisions
Texas	Yes	Yes	Yes	Yes	Tex. Gov't Code Ann. §32.039 et seq.	Liable to the state a penalty not to exceed two times the amount paid, if any, plus not less than \$5,000 or more than \$15,000 for each violation that results in injury to an elderly person, as defined by Section 48.002(1), a disabled person, as defined by Section 48.002(8)(A), or a person younger than 18 years of age; or not more than \$10,000 for each violation that does not result in injury.	General Provisions
Utah	Yes	No	No	No	Utah Code Ann. § 26-20-1 et seq.	Liable to pay to the state a civil penalty equal to three times the amount of damages and not less than \$5,000 or more than \$10,000 for each claim.	Follow Federal Regulations
Vermont	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations

Virginia	Yes	No	Yes	Yes	Va. Code Ann. §8.01-216.1 et seq.	Liable to the commonwealth for a civil penalty of not less than \$5,500 and not more than \$11,000, plus three times the amount of damages and reasonable attorney fees and costs of a civil action brought to recover any such penalties or damages.	General Provisions
Washington	Yes	No	No	No	Wash. Rev. Code § 48.80.010 et seq.	A person who violates this section is guilty of a class C felony punishable under chapter 9A.20 RCW.	Follow Federal Regulations
West Virginia	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Wisconsin	Yes	Yes	Yes	Yes	Wis. Stat § 20.931 et seq.	Liable to the state for three times the amount of damages sustained and not less than \$5,000 nor more than \$10,000 for each violation.	Follow Federal Regulations
Wyoming	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Puerto Rico	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Virgin Islands	No	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations