

**9. Section 17-1704-2, Hawaii Administrative Rules, is amended to repeal definitions for Chapter 17-1704:**

["§17-1704-2 Definitions. As used in this chapter: "Fraud" means the knowing and willful making or causing a making by any person in the medical assistance program of any false statement, misrepresentation, concealment and failure to disclose material fact in any application for benefits or payment for furnishing services or supplies for the purpose of:

- (1) Obtaining greater compensation than the person is legally entitled to;
- (2) Obtaining authorization for furnishing services or supplies;
- (3) Providing or receiving health care services where the recipient is not legally entitled to medicaid; or
- (4) Presenting a claim for services not provided.

If any of the conditions exist, then there is fraud whether or not any payment is actually received from the Hawaii medical assistance program. For purposes of the chapter, fraud may exist whether or not judgment has been made by a court of this State having jurisdiction over criminal matters." ] [Eff 08/01/94; R ] (Auth: HRS §346-14) (Imp: HRS §346-14; 42 C.F.R. §431.10)