

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 of 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 \$10,781 and not more than \$21,563 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 April 5, 2016.

State/City	False Claims Act	Medicaid Only	Meets OIG Def & DRA Reqs	Regulation	False Claims Provision	Whistleblower Provision
Alabama	Yes	Yes	No	Code of AL 22-1-11	Shall be guilty of a felony and upon conviction thereof shall be fined not more than ten thousand dollars (\$10,000) or imprisoned for not less than one nor more than five years, or both.	Follow Federal Regulations
Alaska	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Arizona	Yes	No	No	A.R.S. §36-2918	Shall be liable for a civil penalty of not to exceed two thousand dollars for each item or service claimed and is subject to an assessment of not to exceed twice the amount claimed for each item or service.	Follow Federal Regulations
Arkansas	Yes	Yes	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	Cal. Gov't Code §12650 through 12654.5, as amended by Assemb. B. 2492 (2012)	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	Title 1. Municipal Code of Chicago, Chap. 1-22-020	is liable to the city for a civil penalty of not less than \$5,000.00 and not more than \$10,000.00, plus three times the amount of damages which the city sustains because of the act of that person. A person violating this section shall also be liable to the city for the attorneys' fees and costs of a civil action brought to recover any such penalty or damages.	General Provisions
Colorado	Yes	No	Yes	Col.Rev. Stat. §§ 25.5-4-303.5 through 25.5-4-310	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. Penalties may be slightly decreased if self-reporting standards are met.	General Provisions

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Connecticut	Yes	No	Yes	Gen. Stat. §§ 17b-301 through 17b-301p Conn. Public Acts No. 217, §§ 1-18 and § 257	Shall be liable to the state for: (1) A civil penalty of not less than five thousand dollars or more than ten thousand dollars, (2) three times the amount of damages that the state sustains because of the act of that person, and (3) the costs of investigation and prosecution of such violation	General Provisions
Delaware	Yes	No	Yes	Del. Code Ann. Title 6 §§ 1201 through 1211	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	D.C. Code Ann. § 2-381.02	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	Fla. Stat. §§ 68.081 through 68.09	Is liable to the state for a civil penalty of not less than \$5,500 and not more than \$11,000 and for treble the amount of damages the state sustains because of the act of that person.	General Provisions
Georgia	Yes	Yes	Yes	Ga. Stat. Ann. §§ 49-4-168 through 49-4-168.6	Shall be liable to the State of Georgia for a civil penalty of not less than \$5,500.00 and not more than \$11,000.00 for each false or fraudulent claim, plus three times the amount of damages which the Georgia Medicaid program sustains because of the act of such person.	General Provisions
Hawaii	Yes	No	Yes	Haw. Rev. Stat. §§ 661-21 through 661-31	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.	Follow Federal Regulations
Idaho	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Illinois	Yes	No	Yes	740 ILCS 175/1, as amended by Pub. Act. 097-0978 (Aug 17, 2012)	Is liable to the State for a civil penalty of not less than \$5,500 and not more than \$11,000, plus 3 times the amount of damages which the State sustains because of the act of that person. The penalties in this Section are intended to be remedial rather than punitive, and shall not preclude, nor be precluded by, a criminal prosecution for the same conduct.	General Provisions
Indiana	Yes	No	Yes	Indiana Code §§ 5-11-5.5-1 through 5-11-5.5-18	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	Yes	No	Yes	IA Code §§ 685.1-685.7	Liable to the state for a civil penalty of at least five thousand dollars (\$5,000) and for up to three (3) times the amount of damages sustained by the state. In addition, a person who violates this section is liable to the state for the costs of a civil action brought to recover a penalty or damages.	Follow Federal Regulations

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Kansas	Yes	Yes	No	Kan. Stat. Ann. §75-7501 et seq. Kan. Stat.	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.	General Provisions
				Ann.§21-3805 & §53-601	Kan. Stat. Ann. §21-3805 &§53-601: Unsworn Declarations, as provided for under §53-601, that are intentionally, knowingly and falsely made may constitute perjury. Perjury is a criminal act and may be charged as a level 7 or 9 nonperson felony.	
				Kan. Stat. Ann.§21-3844-3855	Kan. Stat. Ann. §21-3844-3855 (Medicaid Fraud Control Act) False Claims violations may be charged as a misdemeanor or a level 7 or 9 nonperson felone, dependent on the amount illegally claimed.	
					Destruction or concealment of records that support a claim for payment of services under the Medicaid program, prior to the permitted destruction date, may be charged as a level 9 nonperson felony.	
Kentucky	Yes	Yes	No	KY Revis. Stat. 205.8451 and 61.101	Be liable for restitution of any payments received in violation of this chapter, and interest at the maximum legal rate pursuant to KRS	General Provisions
					360.010 in effect on the date any payment was made, for the period from the date payment was made to the date of repayment to the Commonwealth;	
					(b) Be liable for a civil payment in an amount up to three (3) times the amount of excess payments;	
					(c) Be liable for payment of a civil payment of five hundred dollars (\$500) for each false or fraudulent claim submitted for providing treatment, services, or goods;	
					(d) Be liable for payment of legal fees and costs of investigation and enforcement of civil payments; and	
					(e) Be removed as a participating provider in the Medical Assistance Program for two (2) months to six (6) months for a first offense, for six	
					(6) months to one (1) year for a second offense, and for one (1) year to five (5) years for a third offense.	

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Louisiana	Yes	Yes	No	La. Rev. Stat §§ 46:437 through 46:440	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) not less than \$5,500, but not more than \$11,000 for each false or fraudulent claim, misrepresentation, illegal remuneration, or other prohibited act; and (b) Payment of interest. 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	Mai. Rev. Stat. 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	Yes	Yes	No	Md. Code Ann. Health General §§2-601 through 611	Prohibits making false claims against a State health plan or program. Provides civil penalties in the amount of up to \$10,000 per violation plus three times the amount of damages to the State for making false claims against a State health plan or program. Requires courts to consider specific factors in determining the fines and penalties provided for in the Act. The State or a person on behalf of the State is authorized to file a civil action against a person who makes a false claim against a State health plan or a State health program.	General Provisions

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Massachusetts	Yes	No	Yes	Mass. Ann. Laws Ch. 12, §§ 5A through 5O	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	No	MCL §§ 400.601 through 400.615	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	Yes	Minn. Stat. §§ 15C.01 through 15C.16	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 Law	Follow Federal Regulations	Follow Federal Regulations
Missouri	Yes	No	No	Mo. Rev. Stat § Ch. 191.905 et. seq.	Liable for a civil penalty of not less than \$5,000 and not more than \$10,000 for each separate act in violation of such subsections, plus three times the amount of damages which the state and federal government sustained	General Provisions
Montana	Yes	No	Yes	Mon. Code Ann. §§ 17-8-401 through 17-8-413	a civil penalty of not less than \$5,500 and not more than \$11,000 for each act specified in this section, plus not less than two times and not more than three times the amount of damages that a governmental entity sustains	General Provisions
Nebraska	Yes	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 under 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	No	Nev. Rev. Stat. §§ 357.010 through 357.250	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 \$5,500 or more than \$11,000 for each act.	General Provisions
New Hampshire	Yes	Yes	No	N.H. Rev. Stat. Ann. §§ 167:61-b 167:61-e	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

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New Jersey	Yes	No	No	NJ Stat. §§ 2A:32C-1 through 2A:32C-18	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	N.M. Stat. §§ 44-9-1 through 44-9-14	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	No	Yes	N.Y. Fin. Law §§ 187 through 194, and N.Y. Comp. Codes R. & Regs. tit 13, §§ 400.1 through 400.8	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	Yes, meets OIG Def (DRA n/a)	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	N.C. Gen. Stat. Ann. §§ 1-605 through 1-618	Liable to the state for a civil penalty for not less than \$5,500 and not more than \$11,000, plus three times the amount of damages.	Follow Federal Regulations
North Dakota	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Oklahoma	Yes	No	No	Okla. Stat. tit 63 §5053.1 through 5053.7	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 Law	Follow Federal Regulations	Follow Federal Regulations
Oregon	Yes	No	No	Ore. Rev. Stat. § 165.690 through 698	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 Law	Follow Federal Regulations	Follow Federal Regulations
Rhode Island	Yes	No	Yes	R.I. Gen. Laws §§ 9-1.1-1 through 9-1.1-9	is liable to the state for a civil penalty of not less than five thousand five hundred dollars (\$5,500) and not more than eleven thousand dollars (\$11,000), plus three (3) times the amount of damages which the state sustains because of the act of that person. A person violating this subsection (a) shall also be liable to the state for the costs of a civil action brought to recover any such penalty or damages.	General Provisions

State/City	False Claims Act	Medicaid Only	Meets OIG Def & DRA Reqs	Regulation	False Claims Provision	Whistleblower Provision
South Carolina	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
South Dakota	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Tennessee	Yes	Yes	Yes	Tenn. Stat. §§ 71-5-181 through 71-5-185	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	Tex. Hum. Res. Code Ann. §§ 36.001 through 36.132	Liable to the state a penalty not to exceed two times the amount paid, if any, plus not less than \$5,500 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	Utah Code Ann. § 26-20-1 through 15	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	Yes	No	Yes	Vermont False Claims Act, Vt. Stat. Ann. tit. 32, §§ 630 through 642	631. Prohibition, penalties: Civil penalty not less than \$5,500 and not more than \$11,000 for each act constituting a violation of subsection (a) of this section; three times the amount of damages that the state sustains because of the act of that person; and cost of investigation and prosecution of such violation. 634. Alternate remedies available: Not with standing previous sections, the AG may elect to pursue its claim through any alternate remedy available to the state under any other law or regulation, including administrative proceeding to determine civil monetary penalty.	General Provisions
Virginia	Yes	No	Yes	Va. Code Ann. §§ 8.01-216.1 through 8.01-216.19	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	Yes	Yes	Wash. Sess. Laws, Laws of 2012, ch. 241 §§ 201 through 214	Liable to the government entity for a civil penalty of not less than \$5,500 and not more than \$11,000, plus three times the amount of damages which the government entity sustains	General Provisions
West Virginia	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Wisconsin	Yes	Yes	No	Wis. Stat § 20.931	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 Law	Follow Federal Regulations	Follow Federal Regulations
Puerto Rico	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations
Virgin Islands	No	No	No	No Law	Follow Federal Regulations	Follow Federal Regulations