

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1993

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Legislative Document

No. 890

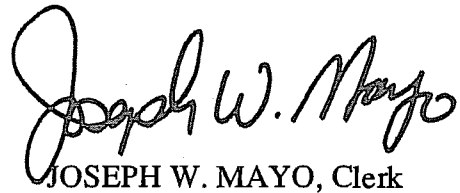
H.P. 652

House of Representatives, March 15, 1993

**An Act to Amend the Law Regarding Insurance Fraud.**

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Reference to the Committee on Judiciary suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative PARADIS of Augusta.  
Cosponsored by Representative: KETTERER of Madison.

2 Be it enacted by the People of the State of Maine as follows:

4 Sec. 1. 24-A MRSA §2178, as amended by PL 1991, c. 824, Pt.  
A, §50, is repealed and the following enacted in its place:

6 **§2178. False applications, claims, proofs of loss; penalty**

8 **1. Falsification.** An agent, broker, solicitor, examining  
10 physician, applicant or other person may not knowingly or  
12 willfully make any false or fraudulent statement or  
14 representation in or with reference to any application for  
insurance; or, for the purpose of obtaining any money or benefit,  
16 knowingly or willfully present or cause to be presented a false  
or fraudulent claim or any proof in support of such a claim for  
18 the payment of the loss upon a contract of insurance; or prepare,  
20 make or subscribe a false or fraudulent account, certificate,  
affidavit or proof of loss, or other document or writing, with  
22 intent that the same may be presented or used in support of such  
a claim. Persons who violate this section are subject to the  
penalty provided in section 12-A, or as provided by any other  
applicable law that provides a greater penalty.

24 **2. Violations.** Any person who knowingly or willfully  
violates the provisions of subsection 1 commits a Class D crime,  
26 except that it is a Class C crime if the amount in controversy  
exceeds \$1,000 but is less than \$5,000 and it is a Class B crime  
28 if the amount in controversy exceeds \$5,000.

30 **STATEMENT OF FACT**

32 This bill provides that insurance fraud involving  
substantial fraudulent claims may be prosecuted as Class B, Class  
34 C or Class D crimes, depending on the amount in controversy.