

14-4411. Medicaid fraud; receiving anything of value; rates.

For you to find the defendant guilty of Medicaid fraud as charged in Count _____, the State must prove to your satisfaction beyond a reasonable doubt each of the following elements of the crime:

1. The defendant received _____¹, which is anything of value.
2. The defendant intended to retain _____¹.
3. The rates established under the program for providing treatment, services or goods are _____.²
4. The defendant knew the value of _____¹ was in excess of the rates established under the program for providing treatment, services or goods.
5. This happened in New Mexico on or about the _____ day of _____, _____.³

USE NOTES

1. Name the item(s).
2. List the established rate.
3. The applicable definition or definitions from UJI 14-4401 NMRA must be given after this instruction.

[Adopted by Supreme Court Order No. 14-8300-005, effective for all cases filed or pending on or after December 31, 2014.]