

14-4402. Falsification of documents.

For you to find the defendant guilty of falsification of documents 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 knowingly

[made or caused to be made a misrepresentation of a material fact required to be furnished under the program. A material fact is a fact that is integral to the right to Medicaid payments and that has a natural tendency to influence the Human Services Department to pay for [unnecessary services] [services not provided in the stated quality or amount] [or] [services to a person not authorized to receive them.]

[or]

[failed or caused the failure to include a material fact required to be furnished under the program in any record required to be retained in connection with the program. A material fact is a fact that is integral to the right to Medicaid payments and that has a natural tendency to influence the Human Services Department to pay for [unnecessary services] [services not provided in the stated quality or amount] [or] [services to a person not authorized to receive them.]

[or]

[submitted or caused to be submitted false or incomplete information for the purpose of receiving benefits or qualifying as a provider]¹.

2. This happened in New Mexico on or about the _____ day of _____, _____².

USE NOTES

1. Use only the applicable bracketed elements established by the evidence.
2. 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; as amended by Supreme Court Order No. 22-8300-034, effective for all cases pending or filed on or after December 31, 2022.]