

103^D CONGRESS
2^D SESSION

H. R. 4113

To amend title 18, United States Code, to prohibit the practice by mental health care providers of using bounty hunters to attract patients for treatment.

IN THE HOUSE OF REPRESENTATIVES

MARCH 23, 1994

Mr. BRYANT introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to prohibit the practice by mental health care providers of using bounty hunters to attract patients for treatment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mental Health Care
5 Providers Bounty Prevention Act of 1994”.

6 **SEC. 2. TITLE 18 AMENDMENT.**

7 (a) IN GENERAL.—Chapter 89 of title 18, United
8 States Code, is amended by adding at the end the
9 following:

1 **“§ 1822. Mental health care provider bounties prohib-**
2 **ited**

3 “(a) Whoever knowingly and willfully solicits or re-
4 ceives any remuneration (including any kickback, bribe, or
5 rebate) directly or indirectly, overtly or covertly, in cash
6 or in kind—

7 “(1) in return for referring an individual to a
8 mental health care provider for the furnishing or ar-
9 ranging for the furnishing of any item or service; or

10 “(2) in return for purchasing leasing, ordering,
11 or arranging for or recommending purchasing, leas-
12 ing, or ordering any good, facility, or service, or item
13 from a mental health care provider;

14 shall be fined under this title or imprisoned not more than
15 5 years, or both.

16 “(b) Whoever knowingly and willfully offers or pays
17 any remuneration (including any kickback, bribe, or re-
18 bate) directly or indirectly, overtly or covertly, in cash or
19 in kind—

20 “(1) to refer an individual to a mental health
21 care provider for the furnishing or arranging for the
22 furnishing of any item or service; or

23 “(2) to purchase, lease, order, or arrange for or
24 recommend purchasing, leasing, or ordering any
25 good, facility, or service, or item from a mental
26 health care provider;

1 shall be fined under this title or imprisoned not more than
2 5 years, or both.

3 “(c) Any conduct which under section 1128B(b)(3)
4 of the Social Security Act is precluded from being a viola-
5 tion of that section is not a violation of this section.

6 “(d) As used in this section, the term ‘mental health
7 care provider’ means any provider of goods or services for
8 the diagnosis and treatment of mental illness, if the pro-
9 vider operates in or affects interstate or foreign com-
10 merce.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 89 of title 18, United States
13 Code, is amending by adding at the end the following:

“1822. Mental health care provider bounties prohibited.”.

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