

**97B.40 Fraud.**

1. A person shall be guilty of a fraudulent practice if the person makes, or causes to be made, any false statement or representation for the purpose of causing an increase in any payment authorized to be made under [this chapter](#), for the purpose of causing any payment to be made where no payment is authorized under [this chapter](#), for the purpose of obtaining confidential information from the system, or for any other unlawful purpose related to [this chapter](#).

2. If the system determines that a person may have engaged in a fraudulent practice as described under [this section](#), the system may, in addition to any statutory or equitable remedies provided by law, refer the matter to the auditor of state and to the appropriate law enforcement authorities for possible investigation and prosecution.

3. For purposes of [this section](#), “*any false statement or representation*” includes the following:

a. Any false statement or representation willfully made or caused to be made as to the amount of any wages paid or received for the period during which earned or unpaid, knowing it to be false.

b. Any false statement of a material fact made or caused to be made knowing it to be false in any application for any payment under [this chapter](#).

c. Any false statement, representation, affidavit, or document willfully made, presented, or caused to be made in connection with an application for any payment under [this chapter](#) knowing it to be false.

d. Any unauthorized use of any security devices, such as personal identification codes, utilized for the purpose of accessing information from the system.

[C46, 50, §97.44; C54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §97B.40]

[98 Acts, ch 1183, §17; 2001 Acts, ch 68, §21, 24; 2003 Acts, ch 145, §286; 2004 Acts, ch 1103, §17](#)

Fraudulent practice, see [§714.8](#)