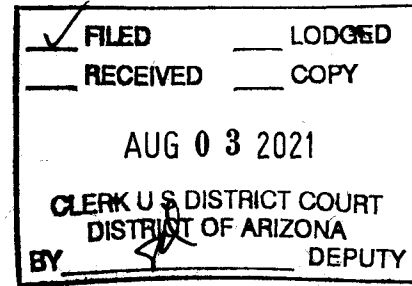


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SEALED

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE DISTRICT OF ARIZONA

11 United States of America,
12 Plaintiff,

13 vs.

14
15 1. Dale Henson, and
16 2. Zoila Henson,
17 Defendants.

No. CR-21-00601-PHX-DJH (DMF)

INDICTMENT

VIO: 18 U.S.C. § 1347
Healthcare Fraud
Counts 1-25

18 U.S.C. § 1028A
Aggravated Identity Theft
Counts 26-50

18 U.S.C. § 1957
Transactional Money Laundering
Counts 51-56

18 U.S.C. § 1343
Wire Fraud
Counts 57-58

18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 982(a)(1)
28 U.S.C. § 2461(c)
Forfeiture Allegations

24 **THE GRAND JURY CHARGES:**

25 At all times material to this indictment, within the District of Arizona and elsewhere:

26 **INTRODUCTION**

27 1. Between about August of 2019 and April of 2020, DALE HENSON and
28 ZOILA HENSON defrauded the Arizona Health Care Cost Containment System

1 (“AHCCCS”) out of at least \$1.2 million by submitting falsified medical billings through
 2 their billing company, Henson Family Services, LLC. Additionally, during that same
 3 timeframe DALE HENSON and ZOILA HENSON defrauded the U.S. Small Business
 4 Administration (“SBA”) out of at least \$150,000 by obtaining a pandemic-related business
 5 loan by means of materially false representations.

6 **Individuals and Entities Involved**

7 2. DALE HENSON resides in Chandler, Arizona. He is affiliated with entities
 8 Henson Holdings, LLC, Henson Investments, LLC and Henson Family Services, LLC.

9 3. ZOILA HENSON resides in Chandler, Arizona, and is the wife of DALE
 10 HENSON. She is affiliated with the same Henson entities.

11 4. Henson Holdings, LLC was registered with the Nevada Secretary of State on
 12 9/30/2015, and DALE HENSON is listed as its managing member. On 9/16/2020, the
 13 Nevada address was changed to **** E. Sanoque Court, Gilbert, AZ, 85298.

14 5. Henson Investments, LLC, was registered with the Nevada Secretary of State
 15 on 5/2/2018, and DALE HENSON and ZOILA HENSON are listed as its managing
 16 members. On 7/20/2020, the Nevada address was changed to **** E. Sanoque Court,
 17 Gilbert, AZ, 85298.

18 6. Henson Family Services, LLC was registered with the Nevada Secretary of
 19 State on 3/30/2017, and DALE HENSON and ZOILA HENSON is listed as its managing
 20 members. On 7/20/2020, the Nevada address was changed to **** E. Sanoque Court,
 21 Gilbert, AZ, 85298.

22 7. Arizona Integrated Telepsychiatry and Telemedicine, LLC (“AITT”), is a
 23 behavioral health facility located in Mesa, Arizona, and is owned and operated by J.K. and
 24 his wife, M.K. AITT is a provider with AHCCCS, with provider number **7306.

25 a. M.K., CNP, is a certified psychiatric and mental health nurse
 26 practitioner, and she treats AITT patients. J.K. is the AITT office manager.

27 b. In the summer of 2019, J.K. hired the Hensons, through their entities
 28 Henson Family Services and Henson Holdings, to handle the medical billing for

1 AITT.

2 8. AHCCCS administers Medicaid health care programs to Arizona residents
3 who meet certain income requirements. The federal government pays states for a
4 percentage of Medicaid program expenditures. In FY 2019, that percentage was 69.81%;
5 in 2020, it was 70.02%.

6 **COUNTS 1 - 25**
7 **Health Care Fraud**
8 **(18 U.S.C. § 1347)**

9 The factual allegations in the preceding paragraphs are incorporated by reference
10 and re-alleged as though fully set forth herein.

11 9. Between at least as early as August, 2019, and continuing through at least as
12 late as April, 2020, DALE HENSON and ZOILA HENSON knowingly and willfully
13 executed and attempted to execute a scheme or artifice to defraud a health care benefit
14 program and to obtain by means of false or fraudulent pretenses, representations and
15 promises, money or property owned by or under the custody or control of a health care
16 benefits program, two wit: AHCCCS, in connection with the delivery of or payment for
17 health care benefits, items, or services.

18 10. As part of the scheme to defraud, DALE and ZOILA HENSON billed
19 AHCCCS for services that were not received by AITT patients.

20 11. As part of the scheme to defraud, DALE and ZOILA HENSON billed
21 AHCCCS for services claimed to have been received by people who were not patients of
22 AITT.

23 12. On or about the dates below, DALE HENSON and ZOILA HENSON
24 submitted and received payment from AHCCCS for the following fraudulent billings
25 related to AITT, with each instance serving as a separate indictment count:

Count	Date (on or about)	Patient	Amount Billed (\$)	Amount Collected (\$)	Dates of Service
1	3/6/2020	M.A.	794.80	715.32	12/30/19 – 1/3/20
2	2/6/2020	A.B.	214.61	193.18	1/30/20

3	2/21/2020	J.B.	794.80	715.32	12/2/20 – 12/6/20
4	3/6/2020	A.B.	794.80	715.32	12/30/19 – 1/3/20
5	3/5/2020	A.B.	794.80	715.32	11/25/19 – 11/29/19
6	2/21/2020	L.B.	794.80	715.32	12/30/19 – 1/3/20
7	2/5/2020	S.B.	214.61	193.18	1/24/19
8	3/16/2020	K.C.	794.80	715.32	12/2/19 – 12/6/19
9	12/6/2020	Q.C.	214.61	193.18	11/8/19
10	2/14/2020	H.J.	794.80	715.32	10/14/19 – 10/18/19
11	3/5/2020	M.J.	794.80	715.32	12/2/19 – 12/6/19
12	2/21/2020	L.J.	794.80	715.32	11/25/19 – 11/29/19
13	3/13/2020	E.K.	794.80	715.32	12/2/19 – 12/6/19
14	2/14/2020	A.P.	794.80	715.32	11/25/19 – 11/29/19
15	2/28/2020	M.R.	794.80	715.32	12/2/19 – 12/6/19
16	2/28/2020	S.R.	794.80	715.32	11/25/19 – 11/29/19
17	3/6/2020	T.S.	794.80	715.32	12/2/19 – 12/6/19
18	3/16/2020	T.S.	794.80	715.32	12/2/19 – 12/6/19
19	2/20/2020	F.S.	794.80	715.32	12/30/19 – 1/3/20
20	3/13/2020	L.S.	794.80	715.32	12/2/19 – 12/6/19
21	2/21/2020	C.S.	794.80	715.32	12/30/19 – 1/3/20
22	2/21/2020	A.V.	794.80	715.32	12/30/19 – 1/3/20
23	2/28/2020	A.W.	794.80	715.32	12/2/19 – 12/6/19
24	3/6/2020	R.Y.	794.80	715.32	12/2/19 – 12/6/19
25	2/28/2020	K.Z.	131.26	131.26	11/26/19

This was in violation of 18 U.S.C. § 1347.

COUNTS 26-50
Aggravated Identity Theft
18 U.S.C. § 1028A

The factual allegations in the preceding paragraphs are incorporated by reference

and re-alleged as though fully set forth herein.

13. On or about the dates listed below, DALE HENSON AND ZOILA HENSON, individually and doing business under the entities described above, along with other individuals and entities known and unknown to the grand jury, during and in relation to the commission of health care fraud, knowingly transferred, possessed and used, without lawful authority, a means of identification of another person, with each instance being a separate indictment count:

Count	Date (on or about)	Patient	Means of Identification Used
26	3/6/2020	M.A.	Name, AHCCCS ID, Date of Birth
27	2/6/2020	A.B.	Name, AHCCCS ID, Date of Birth
28	2/21/2020	J.B.	Name, AHCCCS ID, Date of Birth
29	3/6/2020	A.B.	Name, AHCCCS ID, Date of Birth
30	3/5/2020	A.B.	Name, AHCCCS ID, Date of Birth
31	2/21/2020	L.B.	Name, AHCCCS ID, Date of Birth
32	2/5/2020	S.B.	Name, AHCCCS ID, Date of Birth
33	3/16/2020	K.C.	Name, AHCCCS ID, Date of Birth
34	12/6/2020	Q.C.	Name, AHCCCS ID, Date of Birth
35	2/14/2020	H.J.	Name, AHCCCS ID, Date of Birth
36	3/5/2020	M.J.	Name, AHCCCS ID, Date of Birth
37	2/21/2020	L.J.	Name, AHCCCS ID, Date of Birth
38	3/13/2020	E.K.	Name, AHCCCS ID, Date of Birth
39	2/14/2020	A.P.	Name, AHCCCS ID, Date of Birth
40	2/28/2020	M.R.	Name, AHCCCS ID, Date of Birth
41	2/28/2020	S.R.	Name, AHCCCS ID, Date of Birth
42	3/6/2020	T.S.	Name, AHCCCS ID, Date of Birth
43	3/16/2020	T.S.	Name, AHCCCS ID, Date of Birth

44	2/20/2020	F.S.	Name, AHCCCS ID, Date of Birth
45	3/13/2020	L.S.	Name, AHCCCS ID, Date of Birth
46	2/21/2020	C.S.	Name, AHCCCS ID, Date of Birth
47	2/21/2020	A.V.	Name, AHCCCS ID, Date of Birth
48	2/28/2020	A.W.	Name, AHCCCS ID, Date of Birth
49	3/6/2020	R.Y.	Name, AHCCCS ID, Date of Birth
50	2/28/2020	K.Z.	Name, AHCCCS ID, Date of Birth

This was in violation of 18 U.S.C. § 1028A.

COUNTS 51-58
Transactional Money Laundering
18 U.S.C. § 1957

The factual allegations in the preceding paragraphs are incorporated by reference and re-alleged as though fully set forth herein.

14. On the dates listed below, DALE HENSON and ZOILA HENSON, individually and doing business under the entities described above, along with other individuals and entities known and unknown to the grand jury, knowingly engaged and attempted to engage in the following monetary transactions in the United States in criminally derived property of a value exceeding \$10,000, derived from specified unlawful activity, namely the violation of 18 U.S.C. § 1347 (health care fraud scheme), with each instance being a separate indictment count:

Count	Date (on or about)	Bank/Acct. Information	Amount	Description of Transaction
51	2/10/2020	Wells Fargo, ending 9463	\$11,390.73	Nordstrom
52	3/2/2020	Wells Fargo, ending 9463	\$107,881.50	Check 1016 - Lutheran Indian Ministries (LIM)
53	3/10/2020	Wells Fargo, ending 9463	\$309,103.24	Cashier's Check 2444 – Great American Title
54	3/13/2020	Wells Fargo, ending 9463	\$15,000	Check 1017 – K. B.
55	3/18/2020	Wells Fargo, ending 9463	\$131,095	Check 2021 – LIM

56	3/24/2020	Wells Fargo, ending 9463	\$73,475	Check 1027 – LIM
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This was in violation of 18 U.S.C. § 1957.

COUNTS 57-58
Wire Fraud
18 U.S.C. § 1343

The factual allegations in the preceding paragraphs are incorporated by reference and re-alleged as though fully set forth herein.

15. Beginning at a time unknown to the grand jury, but at least as early as on or about January 1, 2020, and continuing to the present in the District of Arizona and elsewhere, DALE HENSON and ZOILA HENSON, individually and doing business under the entities described above, knowingly and willfully devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses and representations, and by the concealment and omission of material facts.

16. As part of the scheme to defraud, DALE HENSON and ZOILA HENSON applied to receive a COVID19 Economic Injury Disaster Loan (“EIDL”) from the Small Business Association for Henson Family Services and for Henson Holdings by materially misrepresenting the company’s income and/or using the funds received for impermissible purposes, such as to purchase a \$1 million residence.

17. On or about the dates specified below, for the purpose of executing and attempting to execute the scheme or artifice to defraud and to obtain money and property, Defendants individually and doing business under the entities described above, knowingly transmitted and caused to be transmitted, by means of interstate wire and radio communications in interstate commerce, certain writings, pictures, signals and sounds, to and from the District of Arizona and elsewhere, with each instance being a separate indictment count:

Count	Date (on or about)	Wire	Misrepresentations/Omissions
57	4/8/2020	EIDL Application ending 9314, Henson Family Services	Entity Income, Intended Use of Funds
58	4/9/2020	EIDL Application ending 5078, Henson Holdings	Intended Use of Funds

This was in violation of 18 U.S.C. § 1343.

FORFEITURE ALLEGATIONS

The factual allegations in the preceding paragraphs are incorporated by reference and re-alleged as though fully set forth herein.

18. Pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1) and 28 U.S.C. § 2461(c), upon conviction of one or more of the offenses alleged in counts 1 through 58 above, Defendants shall forfeit to the United States all right, title, and interest in any and all property, real or personal, involved in such offenses, or in any property traceable to such property involved in such offenses, including the following: (a) all money or other property that was the subject of each transaction or transfer in violation of a statute listed in 18 U.S.C. § 982, (b) all other property constituting proceeds obtained as a result of those violations, and (c) all property used in any manner or part to commit or to facilitate the commission of those violations, including but not limited to the sum of money representing the amount of money involved in the offenses. This includes a sum of money equal to at least \$1,367,320 in U.S. currency, representing the amount of proceeds involved in the offenses. Defendants shall be jointly and severally liable for that amount.

19. If any of the above-described forfeitable property, as a result of any act or omission by any Defendant, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, had been substantially diminished in value, or has been commingled with other property and cannot be divided without difficulty, it is the intent of the United States to seek forfeiture of any other property of that Defendant up to the value of the above-

1 described forfeitable property, pursuant to 21 U.S.C. § 853(p), as incorporated by 18
2 U.S.C. § 982(b) and 28 U.S.C. § 2461.

3 A TRUE BILL

4
5 s/
6 FOREPERSON OF THE GRAND JURY
Date: August 3, 2021

7
8 GLENN B. McCORMICK
Acting United States Attorney
9 District of Arizona

10 s/
11 MONICA B. KLAPPER
Assistant U.S. Attorney