

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 RALPH LAWRENCE AGCAOILI TORRES  
8 [REDACTED]  
9 [REDACTED]

10 PHILAMEFRIDA VILLADORES AGCAOILI  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]

14 Defendants.

15 No. (Ralph Lawrence Agcaoili Torres)  
16 No. (Philamefrida Villadores Agcaoili)

17 INFORMATION

18  
19 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
20 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

21 The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

22 Count I - AS 47.05.210(a)(3)  
23 Medical Assistance Fraud  
Ralph Lawrence Agcaoili Torres - 001

24 Count II - AS 47.05.210(a)(5)  
25 Medical Assistance Fraud  
26 Ralph Lawrence Agcaoili Torres - 002, Philamefrida Villadores Agcaoili - 002  
27

1 THE ASSISTANT ATTORNEY GENERAL CHARGES:

2 COUNT I:

3 That in the Third Judicial District, State of Alaska, on or between November 29,  
4 2011 and January 29, 2012, at or near Anchorage, RALPH LAWRENCE AGCAOILI  
5 TORRES knowingly submitted or authorized the submission of a claim, or prepared or  
6 assisted another person to prepare a claim for submission, to a medical assistance agency  
7 for property, services, or a benefit with reckless disregard that the claimant is not entitled  
8 to the property, services, or benefit.

9 All of which is a Felony class C offense being contrary to and in violation of  
10 47.05.210(a)(1) and/or (a)(2), and against the peace and dignity of the State of Alaska.

11 COUNT II:

12 That in the Third Judicial District, State of Alaska, on or between November 29,  
13 2011 and January 29, 2012, at or near <sup>Anchorage</sup>, RALPH LAWRENCE AGCAOILI TORRES and  
14 PHILAMEFRIDA VILLADORES AGCAOILI, as principal and/or accomplice,  
15 knowingly made a false entry or falsely altered a medical assistance record.

16 All of which is a Misdemeanor class A offense being contrary to and in violation  
17 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

18 The undersigned swears under oath this Information is based upon a review of  
19 information available to date.

20  
21 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
22 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
23 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
24 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
25 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
26 their home rather than be placed in an assisted living home type setting. Medicaid

1 recipients are evaluated for medical needs by an employee of the Department of Health  
2 and Social Services and the recipient is then authorized to hire a PCA to provide home  
3 based healthcare services.

4 The PCA fills out a timesheet for the work done and submits it to a PCA agency  
5 that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to the agency and  
6 the agency must pay the PCA at least half of that amount.  
7 In the course of this investigation, MFCU investigators compared timesheets signed by  
8 PCAs with information provided by the Department of Homeland Security regarding  
9 dates when PCAs or recipients were outside Alaska.

10 **Ralph Lawrence Agcaoili Torres** (Mr. Torres) signed timesheets claiming to  
11 have provided PCA services to Medicaid recipient M.B.E. during the period November  
12 29, 2011 – January 14, 2012. Included with the timesheets are “daily notes” in which Mr.  
13 Torres wrote descriptions of M.B.E. physical condition, suggesting that he was in her  
14 physical presence. However, information from the Department of Homeland Security  
15 shows that Mr. Torres traveled outside Alaska during the period November 29, 2011 –  
16 January 29, 2012.

17 On March 16, 2015, MFCU Investigator Anderson spoke with Mr. Torres in a  
18 recorded conversation. Mr. Torres admitted that he signed the timesheets. He admitted  
19 receiving payment consistent with the timesheets. Mr. Torres told Investigator Anderson  
20 that his mother, **Philamefrida Villadores Agcaoili**, cared for M.B.E. during the time that  
21 he traveled, and that she turned in the timesheets while he was outside Alaska.

22 On March 24, 2015, MFCU Investigator Anderson spoke with Ms. Agcaoili in a  
23 recorded conversation. She admitted turning in Mr. Torres’ timesheets to C Care. Ms.  
24 Agcaoili admitted that Mr. Torres filled out the timesheets before he left Alaska,  
25 but claimed that she was unaware that this sort of “travel billing” was illegal.

26 The timesheets are false because, on the date that Mr. Torres signed them, he had  
27 not provided the care to M.B.E. claimed on the timesheets.

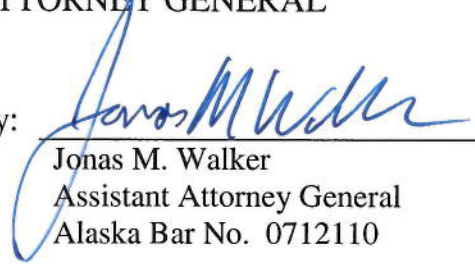
M.B.E. is the mother of Ms. Agcaoili and the grandmother of Mr. Torres.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

MFCU estimates that the Alaska Medicaid Program was defrauded of approximately \$3,209.16. due to this fraudulent activity.

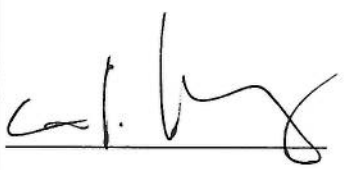
Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

CRAIG W. RICHARDS  
ATTORNEY GENERAL

By:   
Jonas M. Walker  
Assistant Attorney General  
Alaska Bar No. 0712110

Subscribed and sworn to me this 16<sup>th</sup> day of June 2015.

My commission expires: *end of time*



Notary



Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

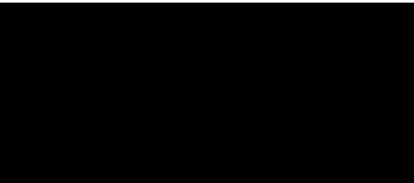
IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,

Plaintiff,

vs.

SHEILA RAMOS ESCOBEDO



Defendant.

No. (Sheila Ramos Escobedo)

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

Count I - AS 47.05.210(a)(1)  
Medical Assistance Fraud  
Sheila Ramos Escobedo -

Count II - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Sheila Ramos Escobedo - 001

THE ASSISTANT ATTORNEY GENERAL CHARGES:

COUNT I:

That in the Third Judicial District, State of Alaska, on or between April 15, 2013 and July 16, 2013, at or near Anchorage, SHEILA ESCOBEDO knowingly submitted or authorized the submission of a claim to a medical assistance agency for property,

1 services, or a benefit with reckless disregard that the claimant is not entitled to the  
2 property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 **COUNT II:**

7 That in the Third Judicial District, State of Alaska, on or between April 15, 2013  
8 and July 16, 2013, at or near Anchorage, SHEILA ESCOBEDO knowingly made a false  
9 entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 information available to date.

14  
15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with PCA Agency C Care Services. This case was part of an agency referral  
18 from the Department of Health and Social Services (DHSS), Program Integrity Unit  
19 regarding PCA Agency C Care Services.

20 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
21 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
22 which will allow Medicaid recipients to stay in their home rather than be placed in an  
23 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
24 an employee of the Department of Health and Social Services and the recipient is then  
25 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a  
26 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
27

1 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the  
2 PCA at least half of that amount.

3 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
4 services while travelling internationally if the travel was pre-approved. On December 23,  
5 2011, the Department of Health sent out a notice to all Medicaid providers that federal  
6 law prohibits Medicaid expenditures for services outside of the United States. See 7AAC  
7 125.060(c) and 42 C.F.R. sec. 431.52(b).

8 In the course of an investigation, MFCU found that Sheila Escobedo signed  
9 timesheets claiming that she provided PCA services for Medicaid recipient I.R. Ms.  
10 Escobedo signed the timesheets under text reading: "This certifies that I have completed  
11 the work tasks assigned and worked the recorded hours. Misrepresentation constitutes  
12 fraud."

13 On the timesheets, Ms. Escobedo claimed to have provided PCA services for  
14 I.R. during the period April 15, 2013 - July 16, 2013. However, using information  
15 provided by the United States Department of Homeland Security, MFCU learned that I.R.  
16 departed the United States on April 4, 2013, and returned on July 2, 2013. Meanwhile,  
17 Ms. Escobedo departed the United States on May 15, 2013, returning on July 16, 2013.

18 A MFCU investigator spoke with Ms. Escobedo in the course of this  
19 investigation. She admitted signing the timesheets identified above. When asked whether  
20 she knew it was wrong to bill for those services, Ms. Escobedo admitted she did, and  
21 explained that she was in a desperate financial situation.

22 MFCU estimates that the total value of Ms. Escobedo's fraudulent travel billing  
23 was approximately \$7,467.68.

24 Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

**Department of Law, Criminal Division**

310 K Street Suite 601

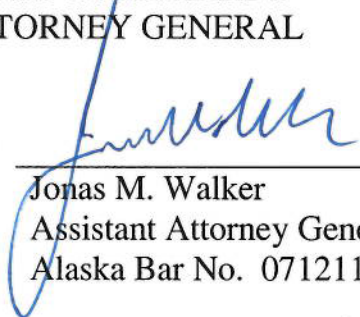
Anchorage, AK 99501

Phone: (907) 269-6250 Fax: (907) 269-7939

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

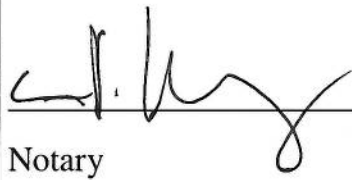
CRAIG W. RICHARDS  
ATTORNEY GENERAL

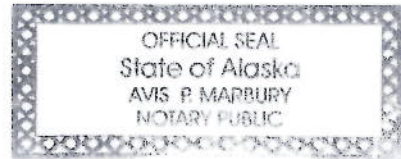
By: \_\_\_\_\_

  
Jonas M. Walker  
Assistant Attorney General  
Alaska Bar No. 0712110

Subscribed and sworn before me this 16<sup>th</sup> day of June 2015.

My commission expires: End of Hire

  
\_\_\_\_\_  
Notary





Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,

Plaintiff,

vs.

BYUNG TAE KIM

NAM KYU KIM

SUNG KYU KIM

DO MIN HONG

Defendants.

Case No.

Case No.

Case No.

Case No.

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Count I - AS 47.05.210(a)(1)  
Medical Assistance Fraud  
Byung Tae Kim - 001

Count II - AS 47.05.210(a)(1)  
Medical Assistance Fraud  
Byung Tae Kim - 002, Nam Kyu Kim - 002, Sung Kyu Kim - 002, Do Min Hong - 001

Count III - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Byung Tae Kim - 003, Nam Kyu Kim - 003, Sung Kyu Kim - 003, Do Min Hong - 002

Count IV - AS 11.56.205  
Unsworn Falsification In The First Degree  
Byung Tae Kim - 004

Count V - AS 11.46.130(a)(1)  
Theft in the Second Degree  
Byung Tae Kim - 005, Nam Kyu Kim - 004

THE ASSISTANT ATTORNEY GENERAL CHARGES:

COUNT I:

That in the Third Judicial District, State of Alaska, between 2010 and 2014, at or near Anchorage, BYUNG TAE KIM knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: the approximate \$155,414 in fraudulent travel billing regarding timesheets purported to be signed by Nam Kyu Kim, but actually signed by Byung Tae Kim.

All of which is a Felony class B offense being contrary to and in violation of 47.05.210(a)(1) Fel B and against the peace and dignity of the State of Alaska.

COUNT II:

That in the Third Judicial District, State of Alaska, between 2010 and 2015, at or near Anchorage, BYUNG TAE KIM, NAM KYU KIM, SUNG KYU KIM, and DO MIN

1 HONG, as principals and/or accomplices, knowingly submitted or authorized the submission  
2 of a claim to a medical assistance agency for property, services, or a benefit with reckless  
3 disregard that the claimant is not entitled to the property, services, or benefit; to wit: the  
4 approximate \$19,898 in fraudulent travel billing that Byung Tae Kim committed regarding  
5 Bok Hee Kim's travel; and the approximate \$16,482 in fraudulent travel billing that Sung  
6 Kyu Kim committed; and the approximate \$1,390 that Do Min Hong and Byung Tae Kim  
7 committed as principal and/or accomplice; and the approximate \$5,222 in fraudulent travel  
8 billing that Byung Tae Kim committed by signing timesheets falsely claiming that he  
9 provided PCA services while outside the United States.

10 All of which is a Felony class C offense being contrary to and in violation of  
11 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

12 COUNT III:

13 That in the Third Judicial District, State of Alaska, between 2010 and  
14 2015, BYUNG TAE KIM, NAM KYU KIM, SUNG KYU KIM, and DO MIN HONG  
15 knowingly made a false entry or falsely altered a medical assistance record.

16 All of which is a Misdemeanor class A offense being contrary to and in violation of  
17 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

18 COUNT IV:

19 That in the Third Judicial District, State of Alaska, between 2011 and 2015, at or  
20 near Anchorage, BYUNG TAE KIM, intending to mislead a public servant in the  
21 performance of a duty, did falsely submit a written or recorded application for a permanent  
22 fund dividend; to wit: the fraudulent applications regarding Nam Kyu Kim.

23 All of which is a Felony class C offense being contrary to and in violation of  
24 11.56.205 and against the peace and dignity of the State of Alaska.

COUNT V:

1 That in the Third Judicial District, State of Alaska, between 2011 and 2015, at or  
2 near Anchorage, BYUNG TAE KIM and NAM KYU KIM, as principal and/or accomplice,  
3 committed the crime of theft and the value of the property or services was \$750 or more; to  
4 wit: the funds they received due to the fraudulent PFD applications.

5 All of which is a Felony class C offense being contrary to and in violation of  
6 11.46.130(a)(1) and against the peace and dignity of the State of Alaska.

7  
8 The undersigned swears under oath this Information is based upon a review of  
9 reports and other information submitted to date.

10  
11 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and Federal  
12 investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA) associated  
13 with PCA Agency C Care Services. This case was part of an agency referral from the  
14 Department of Health and Social Services (DHSS), Program Integrity Unit regarding PCA  
15 Agency C Care Services.

16 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
17 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
18 which will allow Medicaid recipients to stay in their home rather than be placed in an  
19 assisted living home type setting. Medicaid recipients are evaluated for medical needs by an  
20 employee of the Department of Health and Social Services and the recipient is then  
21 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a  
22 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
23 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the PCA at  
24 least half of that amount.

25 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
26 services while travelling internationally if the travel was pre-approved. On December 23,  
27 2011, the Department of Health sent out a notice to all Medicaid providers that federal law

1 prohibits Medicaid expenditures for services outside of the United States. See 7AAC  
2 125.060(c) and 42 C.F.R. sec. 431.52(b).

3 One type of Medicaid fraud investigated by MFCU is known as “travel billing.” An  
4 offender commits travel billing fraud by submitting timesheets claiming to have provided  
5 PCA services that cannot possibly have been provided because the provider, or the recipient,  
6 or both, are traveling outside the United States at the time of the purported service.

7 In the course of the investigation into C Care, MFCU investigators discovered  
8 that Medicaid was billed for PCA services purportedly provided by **Bok Hee Kim** at the  
9 same times that Department of Homeland Security information showed that she was outside  
10 the United States in 2012 and 2013. There were timesheets claiming that that **Bok Hee Kim**  
11 provided PCA services during a total of 84 days when **Bok Hee Kim** was outside the United  
12 States. Currently, MFCU estimates the loss to Medicaid for **Bok Hee Kim**’s travel billing is  
13 approximately \$19,898.

14 MFCU Investigator Warren interviewed **Bok Hee Kim**. She said that her husband,  
15 **Byung Tae Kim**, submits the timesheets and handles family finances. She said that she  
16 provides PCA services along with **Byung Tae Kim**, and her sons, **Sung Kyu Kim** and **Nam**  
17 **Kyu Kim**.

18 On April 29, 2015, Investigator Warren spoke with **Byung Tae Kim** via an  
19 interpreter. **Byung Tae Kim** admitted that he had made a “mistake” by submitting timesheets  
20 that claimed his wife had provided PCA services while she was outside the United States. He  
21 admitted signing the timesheets for his wife, but also said that his wife signed the timesheets  
22 prior to departing the United States. **Byung Tae Kim** said that the Medicaid recipients  
23 needed the services, but said that he and his family asked the recipient to be “excused”  
24 before leaving them unattended. When the family was traveling together, **Byung Tae Kim**  
25 said that he “wasn’t sure” how, or if, Medicaid services were provided to recipients. **Byung**  
26 **Tae Kim** admitted that he knew that timesheets should not be submitted while he or his wife  
27 was traveling. However, he added that he “never thought this would be part of such a big  
crime.” He agreed that the money would have to be repaid. In addition to the fraudulent  
travel billing committed via timesheets purported to be signed by **Bok Hee Kim**, MFCU

1 investigators identified a total of 34 days in which there were timesheets claiming that  
2 **Byung Tae Kim** had provided PCA services when he was outside the United States. The  
3 value of that travel billing was approximately \$5,222.

4 On May 26, 2015, **Nam Kyu Kim** told Investigator Warren that he had not received  
5 payment for PCA work that timesheets claimed he had provided to Medicaid recipients in  
6 Alaska.

7 On May 28, 2015, **Byung Tae Kim** admitted that he had forged signatures of his  
8 son, **Nam Kyu Kim**, on timesheets that falsely claimed that Nam Kyu Kim had provided  
9 PCA services at the same time that **Nam Kyu Kim** was outside the United States during the  
10 approximate period of 2010 – 2014. Currently, MFCU estimates that the approximate value  
11 of this portion of the fraud is \$155,414. **Byung Tae Kim** said that he had falsely completed  
12 his wife's and son's timesheets and stated that he would gladly go to jail for his family.

13 **Byung Tae Kim** also admitted that he had filed fraudulent Permanent Fund  
14 Dividend applications on behalf of **Nam Kyu Kim**, while **Nam Kyu Kim** was in South  
15 Korea. Alaska Department of Revenue Investigator Ellis discovered that there were PFD  
16 applications filed in the name of **Nam Kyu Kim** for the 2011-2015 dividends. According to  
17 Investigator Ellis, the handwriting on **Nam Kyu Kim's** 2011 to 2015 PFD applications was  
18 very similar to the handwriting on **Byung Tae Kim's** 2011 to 2015 PFD applications.  
19 Additionally, **Nam Kyu Kim's** 2011 PFD application was signed within a day of **Byung Tae**  
20 **Kim's** 2011 PFD application, and **Nam Kyu Kim's** 2012, 2013, 2014 and 2015 PFD  
21 applications were signed on the same day as **Byung Tae Kim's**. Investigator Ellis calculates  
22 the value of this presently-identified PFD fraud committed by **Byung Tae Kim** as being  
23 \$4,836.

24 On June 2, 2015, **Nam Kyu Kim** admitted to Investigator Ellis that: he knew that he  
25 was ineligible to receive PFDs because of his absences from Alaska; he was aware that  
26 **Byung Tae Kim** had been applying for PFD's in his name; he knew that PFD funds had  
27 been directly deposited into his Wells Fargo bank account; and that he had used the funds to  
pay common daily expenses. He said that he was willing to repay the fraudulent-obtained  
money.

1 One of **Byung Tae Kim's** sons is **Sung Kyu Kim**. MFCU investigator Warren  
2 compared information from the Department of Homeland Security regarding **Sung Kyu**  
3 **Kim's** arrivals and departures from the United States with timesheets submitted to C Care  
4 purporting to document **Sung Kyu Kim's** PCA services provided to Medicaid recipients.  
5 Investigator Warren identified a total of 96 days of travel billing committed by **Sung Kyu**  
6 **Kim**, resulting in an estimated loss to Medicaid of \$16,482. During an interview on April 29,  
7 2015, **Sung Kyu Kim** admitted to submitting timesheets for services that he did not provide  
8 while travelling abroad in the period 2012 – 2014. **Sung Kyu Kim** apologized for the trouble  
9 he caused.

10 In the course of the same investigation, Investigator Warren interviewed **Do Min**  
11 **Hong** on May 4, 2015. **Do Min Hong** said that **Byung Tae Kim** had offered him \$200 in  
12 exchange for **Do Min Hong** falsely signing timesheets showing that **he** had provided PCA  
13 services. **Do Min Hong** admitted that he had agreed to do so, and that, on about April 20,  
14 2015, he had watched **Byung Tae Kim** forge Medicaid recipients' signatures on the  
15 timesheets. **Do Min Hong** did, in fact, falsely sign the timesheets. He admitted knowing that  
16 what he had done was a crime. MFCU currently estimates that the total value of this  
17 fraudulent activity is approximately \$1390.

18 Dated at Anchorage, Alaska, this 16th day of June, 2015.

19 CRAIG W. RICHARDS  
20 ATTORNEY GENERAL

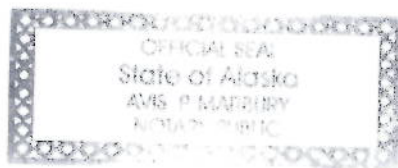
21 By:

22   
23 Jonas M. Walker

24 Investigator

25 Alaska Bar No. 0712110

26 SUBSCRIBED AND SWORN TO before me this 16th day of  
27 June 2015 at Anchorage, Alaska.



28 

29 Notary Public in and for Alaska

30 My Commission Expires: End of Hire

Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

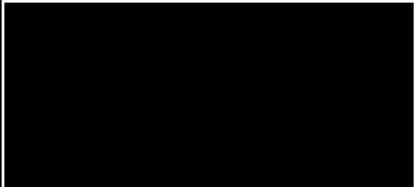
IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,

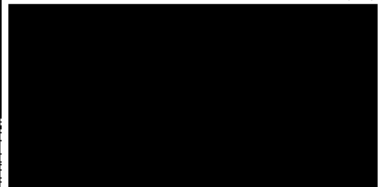
Plaintiff,

vs.

DAVID GONZALES



REBECCA MANUEL GONZALES



Defendants.

No. (David Gonzales)

No. (Rebecca Manuel Gonzales)

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

Count I - AS 47.05.210(a)(2)  
Medical Assistance Fraud  
David Gonzales - 001

Count II - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Rebecca Manuel Gonzales - 001  
David Gonzales - 002



1 THE ASSISTNT ATTORNEY GENERAL CHARGES:

2 COUNT I:

3 That in the Third Judicial District, State of Alaska, on or between January 1,  
4 2012 and December 31, 2014, at or near Anchorage, DAVID GONZALES knowingly  
5 prepared or assisted another person to prepare a claim for submission to a medical  
6 assistance agency for property, services, or a benefit with reckless disregard that the  
7 claimant is not entitled to the property, services or benefit.

8 All of which is a Felony class C offense being contrary to and in violation of  
9 47.05.210(a)(2) and against the peace and dignity of the State of Alaska.

10 COUNT II:

11 That in the Third Judicial District, State of Alaska, on or between March 1, 2013  
12 and March 31, 2013, at or near Anchorage, REBECCA MANUEL GONZALES and  
13 DAVID GONZAELS, as principal and/or accomplice, knowingly made a false entry in or  
14 falsely altered a medical assistance record.

15 All of which is a Misdemeanor class A offense being contrary to and in violation  
16 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

17 The undersigned swears under oath this Information is based upon a review of  
18 police report submitted to date.

19 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and Federal  
20 investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
21 associated with PCA Agency C Care Services. This case was part of an agency referral  
22 from the Department of Health and Social Services (DHSS), Program Integrity Unit  
23 regarding PCA Agency C Care Services.

24 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
25 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,

1 which will allow Medicaid recipients to stay in their home rather than be placed in an  
2 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
3 an employee of the Department of Health and Social Services and the recipient is then  
4 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a  
5 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
6 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the  
7 PCA at least half of that amount.

8 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
9 services while travelling internationally if the travel was pre-approved. On December 23,  
10 2011, the Department of Health sent out a notice to all Medicaid providers that federal  
11 law prohibits Medicaid expenditures for services outside of the United States. See 7AAC  
12 125.060(c) and 42 C.F.R. sec. 431.52(b).

13 David Gonzales and Rebecca Gonzales are husband and wife. They share a  
14 home with Rebecca's parents, G.M. and A.M., both of whom are Medicaid recipients. In  
15 the course of the investigation into C Care, MFCU investigators examined timesheets  
16 claiming that David Gonzales provided PCA services to G.M. and A.M. MFCU  
17 investigators compared the timesheets with information from the United States  
18 Department of Homeland Security regarding the dates of departure and entry to the  
19 United States. Between February 2012 and February 2013, David Gonzales signed  
20 timesheets claiming to have provided PCA services to Medicaid recipients during four  
21 time periods when he was outside the United States. The timesheets were turned in to C  
22 Care. Rebecca Gonzales signed one set of those timesheets as Power of Attorney.

23 On May 7, 2015, MFCU Investigator Anderson met with David Gonzales and  
24 Rebecca Gonzales. Rebecca Gonzales admitted that David was outside the United States  
25 during the times when, according to the timesheets, he was providing PCA services.  
26 Rebecca Gonzales said that a person in a leadership position at C Care told her that it was  
27 acceptable to fill out the timesheets in that way because "nobody gonna notice."  
28 However, she also admitted knowing that it was wrong to sign the false timesheets.  
29 MFCU estimates the value of David Gonzales' fraudulent "travel billing" as being

1 approximately \$1,300. Rebecca signed as power of attorney on timesheets valued at  
2 approximately \$128 of David's "travel billing."

3 In addition to the travel billing, David Gonzales turned in timesheets to C Care  
4 claiming that he provided PCA services at the same time was working for a private  
5 company. David Gonzales committed this "overlap billing" during the period of January  
6 - June 2014. The investigation into David Gonzales' "overlap billing" continues. As of  
7 the date below, MFCU estimates the value of David Gonzales' overlap billing as being at  
8 least \$6,006, but that figure is expected to increase as the investigation continues.

9 Dated at Anchorage, Alaska, this 16th day of June, 2015.

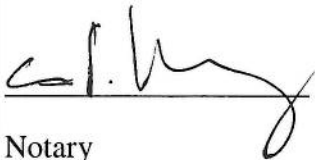
10 CRAIG W. RICHARDS  
11 ATTORNEY GENERAL

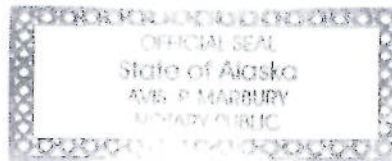
12 By: 

13 Jonas M. Walker  
14 Assistant Attorney General  
15 Alaska Bar No. 0712110

16 Subscribed and sworn to me this 16th day of June 2015.

17 My commission expires with office. *incl of here*

18   
19 \_\_\_\_\_  
20 Notary



1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 LORINDA TOLENTINO HERNANDEZ  
8  
9  
10

11 Defendant.

12 No. (Lorinda Tolentino Hernandez)

13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

17 Count I - AS 47.05.210(a)(1)  
18 Medical Assistance Fraud  
19 Lorinda Tolentino Hernandez - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Lorinda Tolentino Hernandez - 002

23 THE ASSISTANT ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between January 19,  
26 2013 and February 7, 2013, at or near Anchorage, LORINDA TOLENTINO  
27 HERNANDEZ, knowingly submitted or authorized the submission of a claim to a

1 medical assistance agency for property, services, or a benefit with reckless disregard that  
2 the claimant is not entitled to the property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 **COUNT II:**

7 That in the Third Judicial District, State of Alaska, on or between January 19,  
8 2013 and February 7, 2013, at or near Anchorage, LORINDA TOLENTINO  
9 HERNANDEZ , knowingly made a false entry or falsely altered a medical assistance  
10 record.

11 All of which is a Misdemeanor class A offense being contrary to and in violation  
12 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

13 The undersigned swears under oath this Information is based upon a review of  
14 evidence collected to date.

15  
16 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
17 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
18 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
19 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
20 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
21 their home rather than be placed in an assisted living home type setting. Medicaid  
22 recipients are evaluated for medical needs by an employee of the Department of Health  
23 and Social Services and the recipient is then authorized to hire a PCA to provide home  
24 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
25 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to  
26 the agency and the agency must pay the PCA at least half of that amount.  
27

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

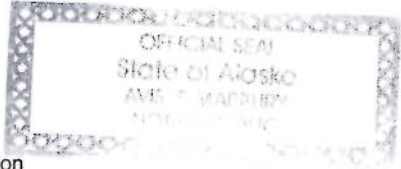
Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA services while travelling internationally if the travel was pre-approved. On December 23, 2011, the Department of Health sent out a notice to all Medicaid providers that federal law prohibits Medicaid expenditures for services outside of the United States. A review of international travel records and Medicaid billing records revealed that Lorinda Hernandez billed Medicaid for providing PCA services to recipient E.H. from January 19, 2013 through February 7, 2013, while Lorinda was actually in the Philippines and recipient E.H. was in Alaska.

On December 15, 2014, MFCU Investigator Anderson interviewed Lorinda Hernandez about her billing for E.H.'s care while being out of the country. Lorinda acknowledged submitting the timesheets and identified her signature and handwriting on the forms indicating she was in Alaska caring for E.H. when in fact she was in the Philippines. Lorinda stated that she pre-signed and filled out the timesheets to include each day's activities and then gave the timesheets to her father to submit to C Care Services. Lorinda indicated she submitted the timesheets for travel periods due to C Care Services Care Coordinator Rebecca Gonzales told her and her father that it was ok to bill for travel periods.

CRAIG W. RICHARDS  
ATTORNEY GENERAL

By: *Jonas M. Walker*  
Jonas M. Walker  
Assistant Attorney General  
Alaska Bar No. 0712110

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of June 2015, at Anchorage, Alaska.



*[Signature]*  
Notary Public in and for Alaska  
My Commission Expires: End of Hire

Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

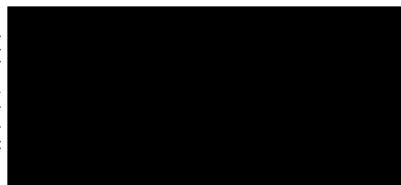
1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 ALAIN CERDENA DIZON



8  
9  
10 Defendant.

11 No. (Alain Cerdena Dizon)

12  
13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

17 Count I - AS 47.05.210(a)(1)  
18 Medical Assistance Fraud  
19 Alain Cerdena Dizon - 001

20 Count II - AS 47.05.210(a)(1)  
21 Medical Assistance Fraud  
22 Alain Cerdena Dizon - 002

23 THE ASSISTANT ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between April 8, 2012  
26 and April 29, 2012, at or near Anchorage, ALAIN CERDENA DIZON knowingly  
27 submitted or authorized the submission of a claim to a medical assistance agency for

1 property, services, or a benefit with reckless disregard that the claimant is not entitled to  
2 the property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 COUNT II:

7 That in the Third Judicial District, State of Alaska, on or between August 6,  
8 2011 and August 31, 2011, at or near , ALAIN CERDENA DIZON knowingly submitted  
9 or authorized the submission of a claim to a medical assistance agency for property,  
10 services, or a benefit with reckless disregard that the claimant is not entitled to the  
11 property, services, or benefit.

12 All of which is a Felony class C offense being contrary to and in violation of  
13 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

14 The undersigned swears under oath this Information is based upon a review of  
15 police report 0627070 submitted to date.

16  
17 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and Federal  
18 investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
19 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
20 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
21 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
22 their home rather than be placed in an assisted living home type setting. Medicaid  
23 recipients are evaluated for medical needs by an employee of the Department of Health  
24 and Social Services and the recipient is then authorized to hire a PCA to provide home  
25 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
26 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 per hour  
27 to the agency and the agency must pay the PCA at least half of that amount.



1 Alain Dizon was a PCA affiliated with C Care Services. Alain Dizon billed the Alaska  
2 Medicaid program for PCA services provided to Medicaid recipient A.D. over various  
3 dates in 2011 and 2012.

4 A review of international travel records and Medicaid billing records revealed that Alain  
5 Dizon billed Medicaid for services that he could not possibly have provided to A.D.  
6 because, at the time of the purported service, Alain Dizon or A.D. were not in the same  
7 countries.

8  
9 Specifically, Alain Dizon signed timesheets falsely claiming that he had provided PCA  
10 services for A.D. during the dates August 6, 2011 - August 31, 2011. Alain Dizon signed  
11 "daily notes" to facilitate the fraud, including information falsely suggesting that he  
12 personally observed A.D.'s physical condition. However, according to information  
13 provided by the United States Department of Homeland Security, A.D. departed the  
14 United States on August 6, 2011, and returned to the United States on August 31, 2011.  
15 There is no record of Alain Dizon traveling at the same time.

16  
17 Furthermore, Alain Dizon signed timesheets falsely claiming that he had provided PCA  
18 services for A.D. during the dates of April 8, 2012 - April 29, 2012. However, according  
19 to information provided by the United States Department of Homeland Security, Alain  
20 Dizon departed the United States on April 8, 2012, and returned on April 29, 2012. There  
21 is no record of A.D. traveling at the same time.

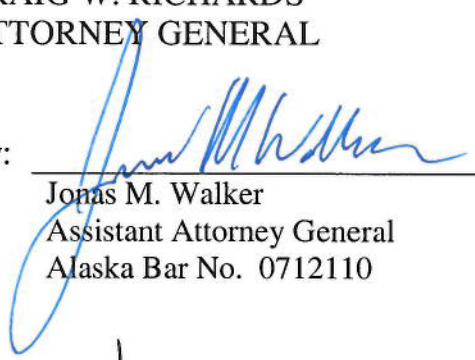
22 In the course of this investigation, MFCU investigator Lance Anderson reviewed  
23 Medicaid billing records. He calculated that Alain Dizon defrauded the Alaska Medicaid  
24 program, at least, \$1,621 for the August 2011 fraud and \$1,541 for the April 2012 fraud.

25  
26 On April 27, 2015, Investigator Anderson interviewed Alain Dizon, who admitted  
27 signing the timesheets.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

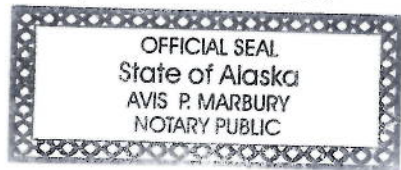
Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

CRAIG W. RICHARDS  
ATTORNEY GENERAL

By:   
Jonas M. Walker  
Assistant Attorney General  
Alaska Bar No. 0712110

Subscribed and sworn to me this 16<sup>th</sup> day of June 2015.

Notary public. My commission expires:



**Department of Law, Criminal Division**  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 ANDREW JIN CHO  
8  
9  
10

11 Defendant.

12 No. (Andrew Jin Cho)

13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

17 Count I - AS 47.05.210(a)(1)  
18 Medical Assistance Fraud  
19 Andrew Jin Cho - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Andrew Jin Cho - 002

23 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between June 12, 2011  
26 and May 13, 2012, at or near anchorage, ANDREW JIN CHO, knowingly submitted or  
27 authorized the submission of a claim to a medical assistance agency for property, services, or a

1 benefit with reckless disregard that the claimant is not entitled to the property, services, or  
2 benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 COUNT II:

7 That in the Third Judicial District, State of Alaska, on or between June 12, 2011  
8 and May 13, 2012, at or near anchorage, ANDREW JIN CHO, knowingly made a false entry or  
9 falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation of  
11 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 the investigative report submitted to date.

14  
15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with PCA Agency C Care Services. This case was part of an agency referral  
18 from the Department of Health and Social Services (DHSS), Program Integrity Unit  
19 regarding PCA Agency C Care Services. PCA Andrew Cho was identified as having  
20 travelled internationally during two time periods where PCA billing claims attributed to  
21 Cho were submitted.

22 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
23 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
24 which will allow Medicaid recipients to stay in their home rather than be placed in an  
25 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
26 an employee of the Department of Health and Social Services and the recipient is then  
27 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a

1 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
2 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the  
3 PCA at least half of that amount.

4 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
5 services while travelling internationally if the travel was pre-approved. On December 23,  
6 2011, the Department of Health sent out a notice to all Medicaid providers that federal  
7 law prohibits Medicaid expenditures for services outside of the United States.

8  
9 A review of international travel records and Medicaid billing records revealed  
10 that Cho submitted timesheets and billed Medicaid for providing PCA services to  
11 recipients K.J.P. and H.J.L. during times of international travel. Specifically, Cho  
12 departed Anchorage for Incheon, Korea on June 12, 2011 and did not return until June  
13 27, 2011. Cho again traveled from Anchorage to Vancouver, Canada on May 11, 2012  
14 and returned on May 13, 2012. Medicaid records revealed that Cho claimed to be  
15 providing services to both recipients during both periods of international travel for a total  
16 of \$2,273.78 in fraudulent billing.

17 On February 25, 2015, MFCU Investigator Mandel interviewed recipient H.J.L.  
18 about the PCA services Cho was providing. H.J.L. indicated that Cho cleans, does  
19 laundry, takes her shopping, to Dr. appointments and cooks her meals, but does not help  
20 her with bathing. Cho's timesheets, however, allege that he was assisting with bathing,  
21 toileting, and dressing.

22  
23 On February 26, 2015, MFCU Investigator Mandel interviewed Cho about his  
24 billing. Cho verified his signature on a C Care Services document titled "Medicaid Fraud  
25 Training." Cho also verified his handwriting and signature on the timesheets covering his  
26 period of international travel. Cho was unable to recall why he submitted timesheets  
27 during his trip to Korea as he thought his sister was working as his backup PCA and she

1 in fact did submit one timesheet for this period of time. Cho was unable to explain why  
2 she did not bill for the entire time and a review of his PCA file revealed a copy of his  
3 paystub verifying that he was in fact paid for the services alleged. A review of the  
4 timesheets show that they were not submitted to C Care Services until after Cho returned  
5 from Korea.

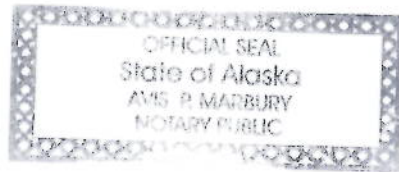
6 Dated at , Alaska, this 16<sup>th</sup> day of June, 2015.

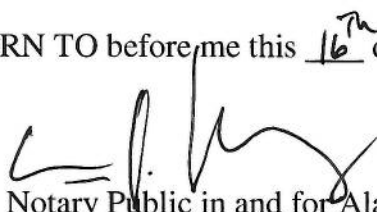
7 CRAIG W. RICHARDS  
8 ATTORNEY GENERAL

9  
10 By: 

11 Jonas M. Walker  
12 Assistant Attorney General  
13 Alaska Bar No. 0712110

14 SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
15 June 2015, at Anchorage, Alaska.



  
Notary Public in and for Alaska  
My Commission Expires: End of Hire

Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 HEE CHAN SUH  
8  
9  
10

11 Defendant.

12 No.

( Hee Chan Suh)

13 INFORMATION

14  
15 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
16 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

17 The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

18 Count I - AS 47.05.210(a)(1)  
19 Medical Assistance Fraud  
Hee Chan Suh - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Hee Chan Suh - 002

23 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between May 9, 2013  
26 and May 21, 2013, at or near Anchorage, HEE CHAN SUH, knowingly submitted or  
27 authorized the submission of a claim to a medical assistance agency for property,

1 services, or a benefit with reckless disregard that the claimant is not entitled to the  
2 property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 COUNT II:

7 That in the Third Judicial District, State of Alaska, on or between May 9, 2013  
8 and May 21, 2013, at or near Anchorage, HEE CHAN SUH, knowingly made a false  
9 entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 the evidence submitted to date.

14  
15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
18 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
19 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
20 their home rather than be placed in an assisted living home type setting. Medicaid  
21 recipients are evaluated for medical needs by an employee of the Department of Health  
22 and Social Services and the recipient is then authorized to hire a PCA to provide home  
23 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
24 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to  
25 the agency and the agency must pay the PCA at least half of that amount.  
26  
27



1 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA services  
2 while travelling internationally if the travel was pre-approved. On December 23, 2011,  
3 the Department of Health sent out a notice to all Medicaid providers that federal law  
4 prohibits Medicaid expenditures for services outside of the United States. A review of  
5 international travel records and Medicaid billing records revealed that Henry Chan Suh  
6 billed Medicaid for providing PCA services to recipient S.H.S. from May 9, 2013  
7 through May 21, 2013 while Henry Suh was out of the country in Korea and S.H.S. was  
8 in Alaska. Henry Suh billed Medicaid a total of \$1,247.62 for PCA services he claimed  
9 to be providing S.H.S. while Henry Suh was out of the country.

10 On May 8, 2015, MFCU Investigator Paakki interviewed Henry Suh about his  
11 billing for S.H.S.'s care while being out of the country. Henry Suh stated that his wife or  
12 sister fill out the timesheets for the care provided and that when he was not able to care  
13 for S.H.S., his wife or sister would provide the care. Henry Suh initially denied travelling  
14 out of the country and stated that he remembered getting into a car accident on May 14,  
15 2013 in Alaska. Henry Suh called Investigator Paakki the following day and indicated  
16 that he checked his passport and he was in Korea. Henry Suh stated that his wife told  
17 him that his sister provided the services. Henry Suh further stated that his sister only  
18 recently became a PCA. Alaska regulations require PCAs to be enrolled with Medicaid  
19 and to have a background check prior to being paid by Medicaid to provide PCA  
20 services. See Alaska Administrative Regulation 7AAC 125.090.

21 Dated this 16<sup>th</sup> of June, 2015 in Anchorage, Alaska.

22 BAIL INFORMATION

23  
24 CONV CONV CONVICTING COURT POS FEL  
25 COURT DATE CHARGE DOCKET ID  
26 DAN 10/13/89 ASSAULT 4- 3AN-89-5483 Y N  
27 RECKLESSLY INJURE

**Department of Law, Criminal Division**  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

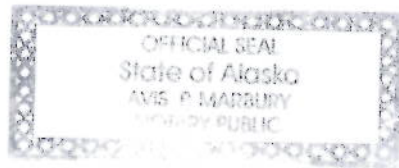
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

CRAIG W. RICHARDS  
ATTORNEY GENERAL

By: \_\_\_\_\_

*Jonas M. Walker*  
Jonas M. Walker  
Assistant Attorney General  
Alaska Bar No. 0712110

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
June 2015, at Anchorage, Alaska.



*Avis P. Marbury*  
Notary Public in and for Alaska  
My Commission Expires: End of Hire

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 NORMA V. EDADES  
8  
9  
10

11 Defendant.

12 No. (Norma V. Edades)

13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 13.66.990:

17 Count I - AS 47.05.210(a)(1)Fel C  
18 Medical Assistance Fraud  
19 Norma V. Edades - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Norma V. Edades - 002

23 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between April 11, 2011  
26 and May 28, 2011, at or near Anchorage, NORMA V. EDADES, knowingly submitted or  
27 authorized the submission of a claim to a medical assistance agency for property,

1 services, or a benefit with reckless disregard that the claimant is not entitled to the  
2 property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 **COUNT II:**

7 That in the Third Judicial District, State of Alaska, on or between April 11, 2011  
8 and May 28, 2011, at or near Anchorage, NORMA V. EDADES, knowingly made a false  
9 entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12  
13 The undersigned swears under oath this Information is based upon a review of  
14 evidence submitted to date.

15  
16 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
17 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
18 associated with PCA Agency C Care Services. This case was part of an agency referral  
19 from the Department of Health and Social Services (DHSS), Program Integrity Unit  
20 regarding PCA Agency C Care Services. PCA Norma Edades was identified as having  
21 billed Medicaid for providing PCA services to recipient C.A. during periods of time that  
22 C.A. was travelled internationally.

23 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
24 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
25 which will allow Medicaid recipients to stay in their home rather than be placed in an  
26 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
27

1 an employee of the Department of Health and Social Services and the recipient is then  
2 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a  
3 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
4 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the  
5 PCA at least half of that amount.

6 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
7 services while travelling internationally if the travel was pre-approved. On December 23,  
8 2011, the Department of Health sent out a notice to all Medicaid providers that federal  
9 law prohibits Medicaid expenditures for services outside of the United States. See 7AAC  
10 125.060(c) and 42 C.F.R. sec. 431.52(b).

11  
12 A review of international travel records and Medicaid billing records revealed  
13 that Edades submitted timesheets and billed Medicaid for providing PCA services to  
14 recipient C.A. during times that C.A. was travelling internationally. Specifically, C.A.  
15 departed Seattle for Incheon, Korea on April 11, 2011 and did not return until May 28,  
16 2011. Medicaid records revealed that Edades billed Medicaid for providing PCA  
17 services to C.A. during this period of international travel for a total of \$4,099.52 in  
18 fraudulent billing.

19 On February 24, 2015, MFCU Investigator Paakki and OIG Agent Kennedy  
20 interviewed Edades regarding her billing Medicaid for PCA services provided to C.A.  
21 during the time C.A. was travelling internationally. Edades identified her signature on  
22 the timesheets and was able to read and explain what the timesheets meant. Edades  
23 admitted to turning in the timesheets covering the period of time C.A. was travelling and  
24 explained that she turned them in because C.A. told her to turn them in. Paystubs from  
25 Edades' employee file confirmed that she was paid by C Care Services for the services  
26 she fraudulently claimed to provide to C.A.

1 Investigator Paakki and Agent Kennedy next interviewed C.A. C.A. admitted to  
2 travelling in the Philippines in 2011, but denied telling Edades to turn in the timesheets.  
3 C.A. further explained her signature on the form by stating that she will sometimes sign  
4 blank form for Edades.

5 Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

6 BAIL INFORMATION

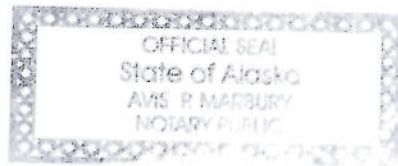
7 CONV COURT	8 CONV DATE	CONVICTING CHARGE	COURT DOCKET	POS ID	FEL	ATN
DKO	03/19/93	DRIVE W/O VALID OL -- EXC EXP LESS	3KO-93-174	N	N	100176370

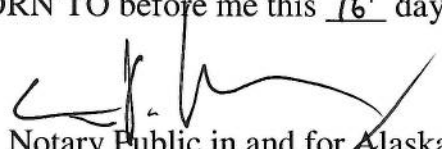
11 CRAIG W. RICHARDS  
12 ATTORNEY GENERAL

13 By: 

14 A. Andrew Peterson  
15 Assistant Attorney General  
16 Alaska Bar No. 0601002

17 SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
18 June 2015, at Anchorage, Alaska.



19   
20 Notary Public in and for Alaska  
21 My Commission Expires: End of Hire

Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 SUNGSOO KIM  
8  
9  
10

11 Defendant.

12 No. (Sungsoo Kim)

13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

17 Count I - AS 47.05.210(a)(1)  
18 Medical Assistance Fraud  
19 Sungsoo Kim - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Sungsoo Kim - 002

23 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between October 30, 2011  
26 and December 10, 2012, at or near Anchorage, SUNG SOO KIM, knowingly submitted or  
27 authorized the submission of a claim to a medical assistance agency for property, services, or a

1 benefit with reckless disregard that the claimant is not entitled to the property, services, or  
2 benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5 COUNT II:

6 That in the Third Judicial District, State of Alaska, on or between October 30, 2011  
7 and November 10, 2012, at or near Anchorage, SUNG SOO KIM, knowingly made a false entry  
8 or falsely altered a medical assistance record.

9 All of which is a Misdemeanor class A offense being contrary to and in violation of  
10 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

11 The undersigned swears under oath this Information is based upon a review of  
12 the evidence submitted to date.

13  
14 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
15 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
16 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
17 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
18 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
19 their home rather than be placed in an assisted living home type setting. Medicaid  
20 recipients are evaluated for medical needs by an employee of the Department of Health  
21 and Social Services and the recipient is then authorized to hire a PCA to provide home  
22 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
23 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to  
24 the agency and the agency must pay the PCA at least half of that amount.


25 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
26 services while travelling internationally if the travel was pre-approved. On December 23,  
27



1 2011, the Department of Health sent out a notice to all Medicaid providers that federal  
2 law prohibits Medicaid expenditures for services outside of the United States. A review  
3 of international travel records and Medicaid billing records revealed that Sung Soo Kim  
4 billed Medicaid for providing PCA services to recipients P.G. from October 30, 2011  
5 through November 22, 2011 while P.G. was in Korea and on April 26, 2012 and again on  
6 October 17, 2012 during dates in which P.G. was driving through Canada without Kim.  
7 Medicaid and travel records also revealed that Kim billed Medicaid for providing PCA  
8 services to recipient K.K. from November 5, 2012 through November 10, 2012 while  
9 K.K. was traveling internationally without Kim and that Kim in fact submitted two sets of  
10 timesheets for this trip. In total, Kim billed Medicaid \$1,111.98 for PCA services that he  
11 did not perform.

12 On April 27, 2015, MFCU Investigator Stewart interviewed Kim about his  
13 billing for P.G. and K.K.'s care while P.G. and K.K. were out of the country. Kim  
14 acknowledged his signatures on the timesheets for both P.G. and K.K. Kim denied  
15 knowing that P.G. went to Korea or that P.G. was driving through Canada. Kim  
16 indicated that he provided daily services of bathing, toileting, dressing, transferring, meal  
17 prep, etc. for P.G. Kim suggested that maybe P.G.'s wife was caring for P.G. while in  
18 Canada, despite the fact that Immigration confirmed that P.G. was alone on one trip.

19 Kim admitted he knew of K.K.'s trip to Korea, but was unsure of why he  
20 submitted timesheets for those dates. Kim was similarly unable to explain the  
21 submission of a second timesheet for K.K., but did admit that K.K. was reassessed for  
22 more hours and that he always provided more services for K.K. than was reflected on the  
23 timesheets. Kim claimed to assist K.K. with transfer, dressing, toilet use, bathing and  
24 medication all while K.K. was in Korea.

25 Dated at Anchorage, Alaska, this -day of June, 2015.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

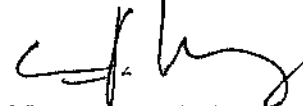
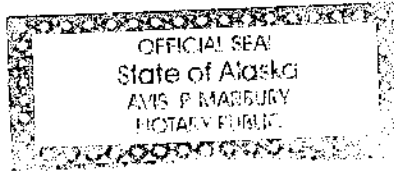
CRAIG W. RICHARDS  
ATTORNEY GENERAL

By:



A. Andrew Peterson  
Assistant Attorney General  
Alaska Bar No. 0601002

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
June 2015, at Anchorage, Alaska.



Notary Public in and for Alaska  
My Commission Expires: End of Hire

Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

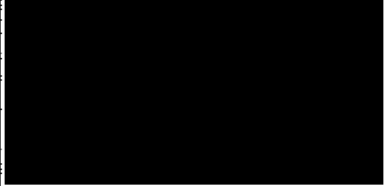
IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,

Plaintiff,

vs.

DIVINIA JUECO NILLO



Defendant.

No. (Divinia Jueco Nillo)

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

Count I - AS 47.05.210(a)(1)  
Medical Assistance Fraud  
Divinia Jueco Nillo -

Count II - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Divinia Jueco Nillo - 001

THE ASSISTANT ATTORNEY GENERAL CHARGES:

COUNT I:

That in the Third Judicial District, State of Alaska, on or between 2010 and 2014, at or near Anchorage, DIVINIA JUECO NILLO knowingly submitted or authorized the submission of a claim to a medical assistance agency for property,

1 services, or a benefit with reckless disregard that the claimant is not entitled to the  
2 property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 **COUNT II:**

7 That in the Third Judicial District, State of Alaska, on or between January 1,  
8 2010 and December 31, 2014, at or near , DIVINIA JUECO NILLO knowingly made a  
9 false entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 police report submitted to date.

14  
15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
18 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
19 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
20 their home rather than be placed in an assisted living home type setting. Medicaid  
21 recipients are evaluated for medical needs by an employee of the Department of Health  
22 and Social Services and the recipient is then authorized to hire a PCA to provide home  
23 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
24 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to  
25 the agency and the agency must pay the PCA at least half of that amount.

26 Beginning in 2008, Divinia Nillo billed the Alaska Medicaid Program for  
27 PCA services provided to a Medicaid recipient, G.N. To do so, she

1 signed timesheets purporting to identify the PCA services provided, and the time and date  
2 upon which they were provided, to G.N. The following phrase appears above Ms. Nillo's  
3 signatures on the timesheets: "This certifies that I have completed the work tasks  
4 assigned and worked the recorded hours. Misrepresentations constitutes fraud."

5 MFCU Investigator Margo Mandel compared Divinio Nillo's timesheets  
6 with information from the Department of Homeland Security regarding the dates when  
7 she departed or entered the United States.

8 Divinio Nillo signed timesheets claiming that she had provided PCA services for  
9 G.N. during the same times when Ms. Nillo was outside the United States over three time  
10 periods in 2010, 2011, and 2014.

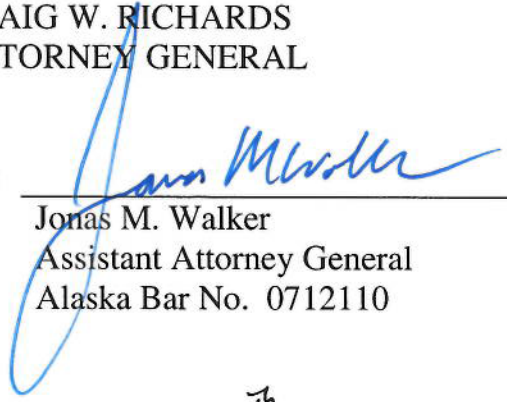
11 On March 2, 2015, Investigator Mandel interviewed Divinion Nillo. Ms.  
12 Nillo admitted that she traveled to the Phillipines and that G.N. did not travel with her.

13 Investigator Mandel determined that Ms. Nillo's "travel billing" resulted in the  
14 Alaska Medicaid program being defrauded of \$4,695.42.

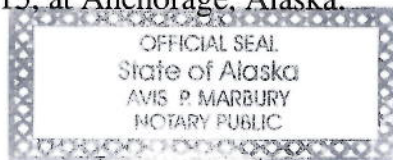
15 Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

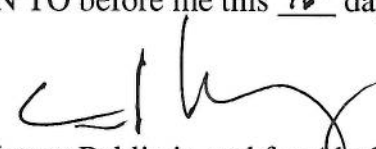
16 CRAIG W. RICHARDS  
17 ATTORNEY GENERAL

18 By: \_\_\_\_\_

19   
20 Jonas M. Walker  
21 Assistant Attorney General  
22 Alaska Bar No. 0712110

23 SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
24 June 2015, at Anchorage, Alaska.



26   
27 Notary Public in and for Alaska  
My Commission Expires: End of Hire

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 CHOMSIM PIACINE  
8  
9  
10

11 Defendant.

12 No. (Chosim Piacine)

13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

17 Count I - AS 47.05.210(a)(1)Fel C  
18 Medical Assistance Fraud  
19 Chosim Piacine - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Chosim Piacine - 002

23 THE OFFICE OF SPECIAL PROSECUTIONS CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between April 3, 2012  
26 and November 3, 2012, at or near Anchorage, CHOMSIM PIACINE, knowingly  
27 submitted or authorized the submission of a claim to a medical assistance agency for

1 property, services, or a benefit with reckless disregard that the claimant is not entitled to  
2 the property, services, or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 COUNT II:

7 That in the Third Judicial District, State of Alaska, on or between April 3, 2012  
8 and November 3, 2012, at or near Anchorage, CHOMSIM PIACINE, knowingly made a  
9 false entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 evidence submitted to date.

14  
15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with PCA Agency C Care Services. This case was part of an agency referral  
18 from the Department of Health and Social Services (DHSS), Program Integrity Unit  
19 regarding PCA Agency C Care Services. PCA Chom Sim Piacine was identified as  
20 having travelled internationally during two time periods where PCA billing claims  
21 attributed to Piacine were submitted.

22  
23 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
24 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
25 which will allow Medicaid recipients to stay in their home rather than be placed in an  
26 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
27 an employee of the Department of Health and Social Services and the recipient is then

1 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a  
2 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
3 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the  
4 PCA at least half of that amount.

5 Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA  
6 services while travelling internationally if the travel was pre-approved. A review of  
7 Piacine's international travel shows that she previously traveled to Korea from October 5,  
8 2011 through November 5, 2011 and secured permission from DHSS to bill for providing  
9 PCA services during the travel. On December 23, 2011, the Department of Health sent  
10 out a notice to all Medicaid providers that federal law prohibits Medicaid expenditures  
11 for services outside of the United States. See 7AAC 125.060(c) and 42 C.F.R. sec.  
12 431.52(b).

13  
14 A review of international travel records and Medicaid billing records revealed  
15 that Piacine submitted timesheets and billed Medicaid for providing PCA services to  
16 recipient P.S.P. during times of international travel after December 23, 2011.  
17 Specifically, Piacine departed Seattle for Incheon, Korea on April 3, 2012 and did not  
18 return until April 30, 2012. Piacine again traveled from Seattle to Incheon, Korea on  
19 October 4, 2012 and returned on November 3, 2012. Medicaid would have denied a  
20 request by Piacine to bill for periods of travel following December 23, 2011. Medicaid  
21 records revealed that Piacine billed Medicaid for providing PCA services to P.S.P. during  
22 both periods of international travel for a total of \$7,909.77 in prohibited billing.

23 On January 6, 2015, MFCU Investigator Anderson interviewed Piacine about the  
24 PCA services she billed Medicaid for providing P.S.P. while traveling in Korea. Piacine  
25 confirmed her signature and writing on the timesheets in question. Piacine initially stated  
26 that she and recipient P.S.P. travelled together to Korea and that upon her return she  
27 spoke with C Care Services employee Frank Woo about the travel. Piacine stated that




1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Frank Woo told her she could not bill for travel periods, but to submit the timesheets without any notation of the international travel.

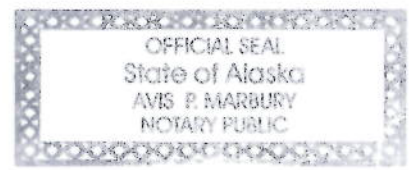
Investigator Anderson then showed Piacine the time stamps on her timesheets which indicated that the timesheets were submitted while she was actually in Korea. Piacine then admitted to pre-filling out all of the timesheets and having her cousin Eun Ja Yi, who was the power of attorney, turn in the timesheets each week. Piacine then admitted to travelling internationally again from October 4, 2012 through November 3, 2012 and billing Medicaid for providing PCA services.

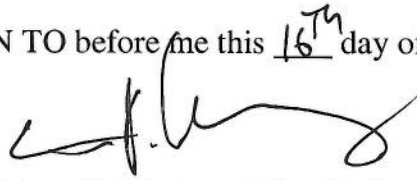
Dated at , Alaska, this 16<sup>th</sup> day of June, 2015.

CRAIG W. RICHARDS  
ATTORNEY GENERAL

By:   
A. Andrew Peterson  
Assistant Attorney General  
Alaska Bar No. 0601002

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of June 2015, at Anchorage, Alaska.



  
Notary Public in and for Alaska  
My Commission Expires: End of Hire

Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 CAROLYN NAPPER



8  
9  
10 Defendant.

11 No. (Carolyn Napper)

12  
13 INFORMATION

14 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
15 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
16 crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

17 Count I - AS 47.05.210(a)(1)  
18 Medical Assistance Fraud  
19 Carolyn Napper - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Carolyn Napper - 002

23 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between April 18, 2010  
26 and November 8, 2014, at or near Anchorage, CAROLYN NAPPER, knowingly  
27 submitted or authorized the submission of a claim to a medical assistance agency for

1 property, services, or a benefit with reckless disregard that the claimant is not entitled to  
2 the property, services, or benefit.

3 All of which is a Felony class B offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 COUNT II:

7 That in the Third Judicial District, State of Alaska, on or between April 18, 2010  
8 and November 8, 2014, at or near Anchorage, CAROLYN NAPPER, knowingly made a  
9 false entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 the investigative report submitted to date.

14  
15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with PCA Agency C Care Services. PCAs are enrolled in Medicaid as home  
18 based healthcare providers. The Alaska Medicaid Program pays PCAs to provide services  
19 of daily living to Medicaid recipients, which will allow Medicaid recipients to stay in  
20 their home rather than be placed in an assisted living home type setting. Medicaid  
21 recipients are evaluated for medical needs by an employee of the Department of Health  
22 and Social Services (DHSS) and the recipient is then authorized to hire a PCA to provide  
23 home based healthcare services. The PCA fills out a timesheet for the work done and  
24 submits it to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24  
25 an hour to the agency and the agency must pay the PCA at least half of that amount.  
26  
27

1 This case was referred to the MFCU by PCA agency Alaska Consumer Direct  
2 after the agency received an anonymous complaint from an employee at Southcentral  
3 Foundation. The employee alleged that PCA Carolyn Napper was submitting timesheets  
4 to Consumer Direct for PCA services she claimed to be providing that were in conflict  
5 with Napper's work schedule at Southcentral Foundation. The complainant apparently  
6 found one of Napper's PCA timesheets on the fax machine at Southcentral Foundation  
7 and noted that Napper was clocked in at Southcentral Foundation during the times and  
8 dates she was claiming to be providing PCA services on the timesheets.

9 Investigator Mandel obtained Napper's timecards from Southcentral Foundation  
10 from April 15, 2010 through January 31, 2014. Napper worked as a clinical Associate at  
11 Southcentral primarily from 7:00 a.m. to 3:00 p.m. or 8:00 a.m. to 4:00 p.m. Investigator  
12 Mandel compared Napper's schedule at Southcentral to her PCA timesheets from Hearts  
13 & Hands of Care and Alaska Consumer Direct during the same time period. The  
14 comparison revealed a substantial overlap in dates and times where Napper was billing  
15 Medicaid and claiming to be providing PCA services when she was actually clocked in at  
16 Southcentral Foundation. The loss to the Alaska Medicaid program from overlap billing  
17 totaled \$73,996.80.

18 Investigator Mandel also obtained Napper's travel records from 2009 to present.  
19 A comparison of her travel records against Medicaid billing information revealed that  
20 Napper billed Medicaid on four occasions when she was actually travelling out of state.  
21 Specifically, Napper traveled from Anchorage to Tampa, Florida from December 17,  
22 2011 through December 28, 2011 and billed Medicaid \$1,559.06 for services she claimed  
23 to be providing to recipient S.S. The timesheets allege Napper was providing daily  
24 services to S.S. despite the fact that S.S. was in Alaska. Napper again traveled from  
25 Anchorage to Los Angeles, California from May 19, 2012 through June 2, 2012 and  
26 billed Medicaid \$1,405.43 for services she claimed to be providing to recipient S.S. The  
27

1 timesheets allege Napper provided daily services to S.S. despite the fact that S.S. was in  
2 Alaska.

3  
4 Napper next traveled from Anchorage to Long Beach, California from May 17,  
5 2013 through June 1, 2013 and billed Medicaid \$2,011.35 for PCA and chore services  
6 she claimed to be providing to recipient C.S. The timesheets allege Napper was  
7 providing daily PCA services to C.S. on every day but May 19, 2013 and eight days of  
8 chore services, despite the fact that C.S. was in Alaska. Finally, Napper traveled from  
9 Anchorage to Los Angeles, California from May 24, 2014 through June 6, 2014 and  
10 billed Medicaid \$1,335.04 for PCA and chore services she claimed to be providing to  
11 recipient C.S. The timesheets allege Napper was providing PCA and chore services to  
12 C.S. despite the fact that C.S. was in Alaska. The loss to the Alaska Medicaid program  
13 associated with Napper's travel billing totaled \$6,310.88 for a total loss of \$80,307.68 in  
14 fraudulent billing to the Alaska Medicaid program.

15 Investigator Mandel initially contacted recipient S.S. about the PCA services  
16 provided by Napper. S.S. was initially authorized to receive 34.5 hours of PCA services  
17 per week, but SDS recently reduced her hours to three hours per week and following an  
18 appeal by S.S. settled on 16.5 hours per week. Mandel observed S.S. walking up and  
19 down a flight of stairs without assistance and caring for a foster child. S.S. reported that  
20 she cares for the child while her daughter is at school.

21 S.S. acknowledged and identified her signature on the timesheets for periods of  
22 time when Napper was working at Southcentral Foundation. The timesheets indicated  
23 that Napper would arrive at S.S.'s home around 8:00 a.m. and stay for approximately five  
24 hours. Napper, however, was clocked in at Southcentral Foundation by 7:15 a.m. S.S.  
25 initially claimed that Napper would provide her three to four hours of services each  
26 morning, but later admitted that Napper could not be at her residence and Southcentral  
27 Foundation at the same time. S.S. acknowledged that Napper provided her with less

1 services as S.S.'s condition improved, a fact that was not reflected on the timesheets.  
2 S.S. claimed that Napper would help her with her childcare for her daughter and braid her  
3 daughter's hair, services not covered under the PCA program. Finally, S.S. admitted that  
4 Napper was not spending the time at her residence that was purported in the timesheets  
5 and that the timesheets were inaccurate.

6           Investigators Mandel and Stewart next interviewed Medicaid recipient C.S.  
7 regarding the PCA services she was receiving from Napper. C.S. verified her signatures  
8 on the timesheets. C.S. indicated that Napper would only come over briefly in the  
9 mornings and was not at her residence for the period of hours recorded on the timesheets.

10  
11           On November 6, 2014, Investigator Mandel interviewed Napper regarding the  
12 PCA services she alleged to be providing. Napper identified her signatures on the Hearts  
13 and Hands PCA timesheets for S.S. from June 20-26, 2010. Napper was then shown her  
14 timesheets for Southcentral Foundation. Napper indicated that she was told by a former  
15 employee of Hearts and Hands that the time period recorded was insignificant as long as  
16 the services were provided. Napper additionally claimed that S.S. would lose her benefits  
17 if Napper failed to use all of the allotted hours. Napper finally admitted that the times  
18 recorded were not accurate, but tried to claim that she was providing services at times  
19 that conflicted with her Southcentral Foundation time cards.

20           Napper indicated that with respect to services for C.S., she would normally take  
21 her to breakfast, shopping or just sit with her as C.S. did not want her to leave. Napper  
22 indicated that C.S.'s care coordinator told her it was ok to bill for just spending time with  
23 C.S. Napper then tried to claim that she was providing services for her recipients often  
24 times from 1:00 a.m. – 6:00 a.m., but finally admitted that she was not performing all of  
25 the services as purported on the timesheets. Napper indicated that once S.S.'s condition  
26 improved she no longer needed the same level of services. Napper indicated that S.S.  
27 was doing really well prior to her beginning to provide care for C.S. Napper indicated

1 that the services were provided sporadically and that she was not at S.S.'s residence for  
2 long periods of time as indicated on the timesheets. Napper further admitted that she  
3 would only stop by on her way to work or on her way home as needed.

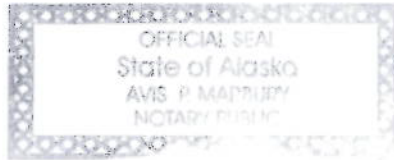
4 Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

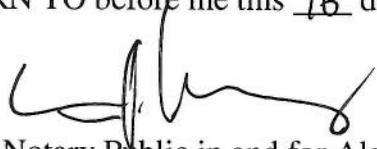
5 CRAIG W. RICHARDS  
6 ATTORNEY GENERAL

7  
8 By: 

9 A. Andrew Peterson  
10 Assistant Attorney General  
11 Alaska Bar No. 0601002

12 SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
13 June 2015, at Anchorage, Alaska.



  
Notary Public in and for Alaska  
My Commission Expires: End of Hire

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 EVELYN STA MARIA CALDERON-  
MILLIGROCK



11 Defendant.

12 No. (Evelyn Sta Maria Calderon-Milligrock)

13 INFORMATION

14  
15 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
16 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

17 The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990: none.

18 Count I - AS 47.05.210(a)(1)

Medical Assistance Fraud

19 Evelyn Sta Maria Calderon-Milligrock - 001

20 Count II - AS 47.05.210(a)(5)

Medical Assistance Fraud

21 Evelyn Sta Maria Calderon-Milligrock - 002

22  
23 THE ASSISTANT ATTORNEY GENERAL CHARGES:

24 COUNT I:

25 That in the Third Judicial District, State of Alaska, on or between June 1, 2008 and  
26 June 1, 2010, at or near Anchorage, EVELYN STA MARIA CALDERON-MILLIGROCK  
27 knowingly submitted or authorized the submission of a claim to a medical assistance agency



1 for property, services, or a benefit with reckless disregard that the claimant is not entitled to  
2 the property, services, or benefit.

3 All of which is a Felony class B offense being contrary to and in violation of  
4 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

5  
6 COUNT II:

7 That in the Third Judicial District, State of Alaska, on or between June 1, 2008 and  
8 June 1, 2010, at or near Anchorage, EVELYN STA MARIA CALDERON-  
9 MILLIGROCK knowingly made a false entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation of  
11 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 police report 0627077 submitted to date.

14 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and Federal  
15 investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA) associated  
16 with PCA Agency C Care Services. This case was part of an agency referral from the  
17 Department of Health and Social Services (DHSS), Program Integrity Unit regarding PCA  
18 Agency C Care Services.

19 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
20 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
21 which will allow Medicaid recipients to stay in their home rather than be placed in an  
22 assisted living home type setting. Medicaid recipients are evaluated for medical needs by an  
23 employee of the Department of Health and Social Services and the recipient is then  
24 authorized to hire a PCA to provide home based healthcare services. The PCA fills out a  
25 timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid.  
26 Medicaid pays approximately \$24 an hour to the agency and the agency must pay the PCA at  
27 least half of that amount.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Prior to December 23, 2011, Alaska Medicaid would authorize payment for PCA services while travelling internationally if the travel was pre-approved. On December 23, 2011, the Department of Health sent out a notice to all Medicaid providers that federal law prohibits Medicaid expenditures for services outside of the United States. See 7AAC 125.060(c) and 42 C.F.R. sec. 431.52(b).

Evelyn Calderon-Milligrock signed timesheets claiming to have provided personal care attendant services for several recipients over several years. Her timesheets came to the attention of investigators because, among other reasons, the timesheets asserted that Ms. Calderon-Milligrock was working more hours in a day than seemed plausible.

In March 2015, a MFCU investigator spoke with Ms. Calderon-Milligrock. She admitted that many of the timesheets were false. MFCU estimates that the total fraudulent loss to the Alaska Medicaid program due to Ms. Calderon-Milligrock fraudulent billing during the period of approximately June 2008 - June 2010 is approximately \$31,335.

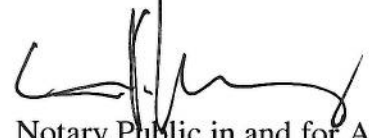
Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

CRAIG W. RICHARDS  
ATTORNEY GENERAL

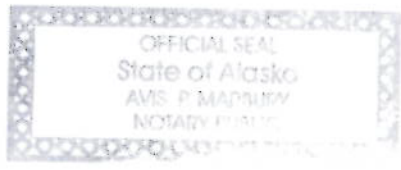
By: 

Alfred A. Peterson  
Assistant Attorney General  
Alaska Bar No. 0601002

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of June 2015, at Anchorage, Alaska.



Notary Public in and for Alaska  
My Commission Expires: End of Hire



IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

STATE OF ALASKA,

Plaintiff,

vs.

PASPON SAM SENTEP

MARY SENETHEP

Defendants.

Case No. 3AN-15- CR.

Case No. 3AN-15- CR.

INFORMATION

I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2) residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

Count I - AS 47.05.210(a)(1)  
Medical Assistance Fraud  
Paspon Sam Sentep - 001  
Mary Senethep - 001

Count II - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Paspon Sam Sentep - 002  
Mary Senethep - 002

1 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

2  
3 COUNT I:

4 That in the Third Judicial District, State of Alaska, on or about September 27,  
5 2010 and June 21, 2014, at or near, PASPON SAM SENTEP AND MARY SENETHEP,  
6 knowingly submitted or authorized the submission of a claim to a medical assistance  
7 agency for property, services, or a benefit with reckless disregard that the claimant is not  
8 entitled to the property, services, or benefit.

9 All of which is a Felony class B offense being contrary to and in violation of  
10 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

11 COUNT II:

12 That in the Third Judicial District, State of Alaska, on or between September 27,  
13 2010 and June 21, 2014, at or near Anchorage, PASPON SAM SENTEP AND MARY  
14 SENETHEP, knowingly made a false entry or falsely altered a medical assistance record.

15 All of which is a Misdemeanor class A offense being contrary to and in violation  
16 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

17 The undersigned swears under oath this Information is based upon a review of  
18 investigative report submitted to date.

19  
20 The Medicaid Fraud Control Unit (MFCU) received a fraud referral via fax  
21 anonymously reporting that Paspon Sentep was billing Medicaid for personal care  
22 assistance (PCA) services that were not being provided. The MFCU investigation  
23 revealed that Paspon Sentep and Mary Senethep were billing Medicaid for services that  
24 were not provided. Specifically, the investigation revealed that services were not being  
25 provided due to the PCAs travelling internationally without the recipient, the recipient  
26 was in jail, hospitalized or the PCA was billing for providing services to multiple  
27

1 recipients simultaneously. The total fraud associated with this case is in excess of  
2 \$54,000 in Medicaid billing for services that were not provided.

3  
4 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
5 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
6 which will allow Medicaid recipients to stay in their home rather than be placed in an  
7 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
8 an employee of DHSS and the recipient is then authorized to hire a PCA to provide home  
9 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
10 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to  
11 the agency and the agency must pay the PCA at least half of that amount.

12 Investigator Paakki requested international travel information on Paspon Sentep  
13 and learned that he traveled internationally four times between September 27, 2010 and  
14 November 28, 2012. A review of Paspon's Medicaid billing data revealed that he billed  
15 Medicaid during each of his for trips for a total of \$17,741.19 in fraudulent billing.  
16 Immigration and Custom's Enforcement records reveal that Paspon travelled  
17 internationally from September 27, 2010 through October 26, 2010. During this period  
18 of time, Paspon claimed to be providing PCA services to Medicaid recipient B.P. and  
19 S.S. Specifically, Paspon claimed that he was assisting the recipients with mobility,  
20 dressing, bathing, using the toilet, meal preparation, laundry and grooming. Paystubs  
21 indicate that Paspon was paid for the hours he claimed on the timesheets and the  
22 timesheets were signed by his spouse, Mary Senethep as the recipient's power of attorney  
23 attesting that the alleged services were provided. Medicaid was billed a total of  
24 \$6,843.30 for this trip.

25 Alaska law provides that, "except as otherwise provided by law ... a person may  
26 not be prosecuted ... for an offense unless the ... information or complaint is instituted  
27 not later than ... five years after the commission of [the offense]." AS 12.10.010(b)(2).

1 This specific time limitation, however, is extended in cases where the defendant is being  
2 prosecuted for a crime involving an element of fraud. Under these circumstances, the  
3 prosecution may be commenced within one year of discovery of the offense as long as  
4 the statute of limitations is not extended beyond three years. See AS 12.10.020(a).

5 Immigration and Custom's Enforcement records reveal that Paspon next  
6 travelled internationally from November 3, 2011 through December 2, 2011. During this  
7 period of time, Paspon claimed to be providing PCA services to B.P. by assisting with  
8 mobility, dressing, bathing, using the toilet meal preparation, laundry and grooming. In  
9 addition, Paspon claimed to be providing 10 hours a week of respite services to B.P. for  
10 cleaning, running errands, companionship, watching tv and listening to music. Alaska  
11 Administrative Regulations prohibit the primary caregiver from also being the respite  
12 worker as respite services are designed to give the primary PCA a break. See 7AAC  
13 130.280(b)(1). Paystubs confirmed that Paspon was paid for the hours he claimed on the  
14 timesheets and the timesheets were again signed by Mary as the recipient's power of  
15 attorney attesting that the alleged services were provided. Medicaid was billed a total of  
16 \$4,236.77 for this trip.

17 Immigration and Custom's Enforcement records reveal that Paspon next  
18 travelled internationally from April 27, 2012 through April 29, 2012. During this period  
19 of time, Paspon again claimed to be providing respite services to B.P. Paspon also  
20 claimed to be providing PCA services to recipient P.X. with moving about the home,  
21 takin medication, transferring, dressing, toileting, shopping, laundry and light  
22 housework. Paystubs again confirm that Paspon was paid for the services he claimed to  
23 be providing and his wife Mary signed the timesheets as the power of attorney for the  
24 recipients. Medicaid was billed a total of \$341.40 for this trip.

25  
26 Immigration and Custom's Enforcement records reveal that Paspon next  
27 travelled internationally from October 29, 2011 through November 28, 2011. During this

1 period of time, Paspon claimed to be providing PCA and chore services to T.X. as well as  
2 PCA services to recipient D.P. Paystubs again confirmed that Paspon was paid for the  
3 hours he claimed on the timesheets and the timesheets were again signed by Mary as the  
4 recipient's power of attorney attesting that the alleged services were provided. Medicaid  
5 was billed a total of \$6,319.72 for this trip.

6           Incarceration records revealed that recipient B.P. was arrested on two different  
7 occasions. First, B.P. was arrested on June 28, 2011 and remained in custody until July  
8 20, 2011 for failing to register as a sex offender. Second, B.P. was arrested on March 23,  
9 2012 and remained in custody until May 21, 2012, again for failing to register as a sex  
10 offender. Medicaid records revealed that Paspon billed Medicaid for providing PCA  
11 services to B.P. during the times that he was incarcerated. In total, Medicaid paid  
12 \$2,729.34 for Medicaid services that Paspon did not provide. Paspon also billed  
13 Medicaid \$386.92 for services during times when recipient B.P. was hospitalized from  
14 June 8-28, 2012 for \$386.92 in loss to Medicaid. Finally, Paspon submitted timesheets  
15 with overlapping alleging that he was providing care simultaneously for two different  
16 Medicaid recipients for a total loss of \$864.88. In all of the above cases, Mary signed the  
17 timesheets as the power of attorney for the Medicaid recipients.

18           A review of PCA timesheets submitted by Mary Senethep revealed that she  
19 traveled internationally on four different occasions between September 27, 2011 and  
20 November 28, 2012. Mary billed Medicaid for seven different Medicaid recipients  
21 during this time and claimed to be providing care for as many as five recipients a day. A  
22 review of Mary's PCA timesheets revealed that she billed Medicaid a total of \$10,803.93  
23 for Medicaid services she alleged to be providing while actually travelling  
24 internationally. Paystubs indicate that Mary was paid for the hours she alleged to have  
25 performed on the timesheets. In each of these cases, Pason signed the timesheets as the  
26 power of attorney for the Medicaid recipient attesting that Mary actually provided the  
27 services. In three of Mary's four trips, Mary and Pason were actually travelling together.

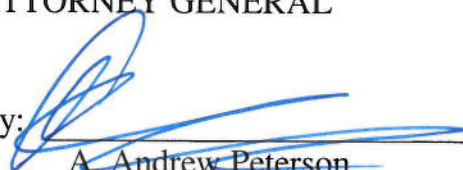
1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Investigator Paakki compared the timesheets submitted by Mary for each of the seven Medicaid recipients. Many of the timesheets have no start or stop time in violation of Medicaid regulations. See 7AAC 125.120(a)(4). Mary also claimed to be a live-in PCA for three different recipients in addition to living with her husband Pason who was also claiming to live with a number of recipients. A review of timesheets submitted by Mary from January 28, 2011 through June 21, 2014 revealed that she billed Medicaid a total of \$23,268.24 for overlapping services. Paystubs indicate that Mary was paid for the overlapping services she claimed to be providing to two or more recipients simultaneously and a review of the timesheets revealed that Pason signed all of the timesheets as the power of attorney attesting that Mary provided the services claimed. In total, Pason and Mary caused Medicaid to pay in excess of \$54,000 for Medicaid services that were not provided.

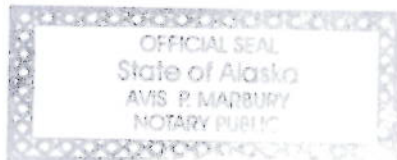
Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

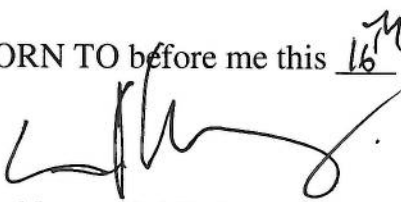
CRAIG W. RICHARDS  
ATTORNEY GENERAL

By: \_\_\_\_\_

  
A. Andrew Peterson  
Assistant Attorney General  
Alaska Bar No. 0601002

SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of June 2015, at Anchorage, Alaska.



  
Notary Public in and for Alaska  
My Commission Expires: End of Hire



Department of Law, Criminal Division  
310 K Street Suite 601  
Anchorage, AK 99501  
Phone: (907) 269-6250 Fax: (907) 269-7939

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT ANCHORAGE

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 CHENG MOUA  
8 [REDACTED]  
9 [REDACTED]

10 PHONG MOUA  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]

14 TOU CHA MOUA  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]

18 Defendants.

19 No. (Cheng Moua)

20 No. (Phong Moua)

21 No. (Tou Cha Moua)

22 INFORMATION

23 I certify this document and its attachments do not contain the (1) name of a victim of a sexual offense listed in AS 12.61.140 or (2)  
24 residence or business address or telephone number of a victim of or witness to any offense unless it is an address identifying the place of a  
crime or an address or telephone number in a transcript of a court proceeding and disclosure of the information was ordered by the court.

25 The following counts charge a crime involving DOMESTIC VIOLENCE as defined in AS 18.66.990:

26 Count I - AS 47.05.210(a)(1)  
27 Medical Assistance Fraud  
Cheng Moua - 001

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

Count II - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Cheng Moua - 002

Count III - AS 47.05.210(a)(2)  
Medical Assistance Fraud  
Tou Cha Moua - 001

Count IV - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Tou Cha Moua - 002

Count V - AS 47.05.210(a)(1)  
Medical Assistance Fraud  
Phong Moua - 001

Count VI - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Phong Moua - 002

**THE OFFICE OF THE ATTORNEY GENERAL CHARGES:**

**COUNT I:**

That in the Third Judicial District, State of Alaska, on or between December 15, 2007 and October 4, 2011, at or near Anchorage, CHENG MOUA, knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit.

All of which is a Felony class C offense being contrary to and in violation of 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

**COUNT II:**

That in the Third Judicial District, State of Alaska, on or between December 15, 2007 and October 4, 2011, at or near Anchorage, CHENG MOUA, knowingly made a false entry or falsely altered a medical assistance record.

1 All of which is a Misdemeanor class A offense being contrary to and in violation  
2 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

3  
4 COUNT III:

5 That in the Third Judicial District, State of Alaska, on or between September 15,  
6 2011 and October 4, 2011, at or near Anchorage, TOU CHA MOUA, knowingly  
7 prepared or assisted another person to prepare a claim for submission to a medical  
8 assistance agency for property, services, or a benefit with reckless disregard that the  
9 claimant is not entitled to the property, services or benefit.

10 All of which is a Felony class C offense being contrary to and in violation of  
11 47.05.210(a)(2) and against the peace and dignity of the State of Alaska.

12 COUNT IV:

13 That in the Third Judicial District, State of Alaska, on or between September 15,  
14 2011 and October 4, 2011, at or near Anchorage, TOU CHA MOUA, knowingly made a  
15 false entry or falsely altered a medical assistance record.

16 All of which is a Misdemeanor class A offense being contrary to and in violation  
17 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

18  
19 COUNT V:

20 That in the Third Judicial District, State of Alaska, on or between December 15,  
21 2007 and May 23, 2009, at or near Anchorage, PHONG MOUA, knowingly submitted or  
22 authorized the submission of a claim to a medical assistance agency for property,  
23 services, or a benefit with reckless disregard that the claimant is not entitled to the  
24 property, services, or benefit.

25 All of which is a Felony class C offense being contrary to and in violation of  
26 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

COUNT VI:

1 That in the Third Judicial District, State of Alaska, on or between December 15,  
2 2007 and May 23, 2009, at or near Anchorage, PHONG MOUA, knowingly made a false  
3 entry or falsely altered a medical assistance record.  
4

5 All of which is a Misdemeanor class A offense being contrary to and in violation  
6 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

7 The undersigned swears under oath this Information is based upon a review of  
8 the investigative report submitted to date.

9 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and Federal  
10 investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
11 associated with PCA Agency C Care Services. This case was part of an agency referral  
12 from the Department of Health and Social Services (DHSS), Program Integrity Unit (PI)  
13 regarding C Care Services. PCAs Cheng Moua, Tou Cha Moua and Phong Moua were  
14 identified as having billed Medicaid for PCA services they claimed to be providing to  
15 Medicaid recipients when they were actually travelling internationally without the  
16 recipient and thus unable to provide the alleged services.

17 PCAs are enrolled in Medicaid as home based healthcare providers. The Alaska  
18 Medicaid Program pays PCAs to provide services of daily living to Medicaid recipients,  
19 which will allow Medicaid recipients to stay in their home rather than be placed in an  
20 assisted living home type setting. Medicaid recipients are evaluated for medical needs by  
21 an employee of DHSS and the recipient is then authorized to hire a PCA to provide home  
22 based healthcare services. The PCA fills out a timesheet for the work done and submits it  
23 to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to  
24 the agency and the agency must pay the PCA at least half of that amount.

25 International travel records revealed that PCA Tou Cha Moua travelled from  
26 Anchorage to Taipei on September 15, 2011 through October 4, 2011. A review of Tou  
27 Cha Moua's Medicaid billing records revealed that he billed Medicaid a total of

1 \$2,839.31 for providing services to Medicaid recipient K.M. during this time period. Tou  
2 Cha Moua's paystubs from C Care Services confirm that he was compensated for the  
3 services he alleged to be providing K.M.

4 Investigator Mandel interviewed Tou Cha Moua on May 8, 2015 regarding his  
5 travel billing. Tou Cha Moua indicated that his father Cheng Moua is the legal guardian  
6 for K.M. and that Cheng signed and filled out the timesheets, dropped them off at C Care  
7 Services and picked up the paychecks. Tou Cha acknowledged that prior to his trip to  
8 Taipei the family realized that they would need a backup PCA to provide care to K.M.  
9 The family decided that Tou Cha's minor brother would be the care provider. As a  
10 minor, Tou Cha's brother could not be enrolled as a PCA, so the family decided to switch  
11 PCAs without telling C Care Services and to bill under Tou Cha's name.

12 Tou Cha stated that he gave the proceeds from Medicaid to his brother and father  
13 and that he regularly gave his father \$200 - \$500 from his PCA checks. Tou Cha verified  
14 his father's signatures on all of the timesheets during the travel period and identified the  
15 notes on the back of the timesheets as his father's handwriting. Alaska Administrative  
16 Regulations provide that to be employed as a PCA the individual must be 18 years of age,  
17 pass a criminal background check and be individually enrolled as a provider. See 7AAC  
18 125.090.

19 Tou Cha worked in construction during the time he was providing services to  
20 recipient K.M. Investigator Mandel pointed out that his PCA timesheets conflicted with  
21 the times he was working construction. Tou Cha acknowledged that the times reflected  
22 on his timesheets overlapped with his work schedule, and stated that the same hours are  
23 listed every day for uniformity. Tou Cha stated the agency required the timesheets to be  
24 done this way. He indicated that he was required to bill the maximum hours allowed as a  
25 "mandatory" requirement of the agency.

26 International travel records revealed that PCA Phong Moua travelled from  
27 Anchorage to Incheon on December 15, 2007 through January 3, 2008 and he took a  
28 Mexican cruise from May 19-23, 2009. A review of Phong Moua's Medicaid billing

1 records revealed that he billed Medicaid a total of \$2,103.32 for providing services  
2 to Medicaid recipient K.L. during these time periods. Phong Moua's paystubs from C  
3 Care Services confirm that he was compensated for the services he alleged to be  
4 providing K.L. Alaska law provides that, "except as otherwise provided by law ... a  
5 person may not be prosecuted ... for an offense unless the ... information or complaint is  
6 instituted not later than ... five years after the commission of [the offense]." AS  
7 12.10.010(b)(2). This specific time limitation, however, is extended in cases where the  
8 defendant is being prosecuted for a crime involving an element of fraud. Under these  
9 circumstances, the prosecution may be commenced within one year of discovery of the  
10 offense as long as the statute of limitations is not extended beyond three years. See AS  
11 12.10.020(a).

12 Phong Moua reviewed timesheets for his two travel periods and confirmed that the  
13 documents contained his and K.L.'s signatures. Phong Moua indicated that he filled out  
14 the check boxes and times and that his father wrote the comments on the bottom. Phong  
15 Moua acknowledged that he submitted the timesheets for the period he was travelling,  
16 stating that he signed the timesheets before he left on his trips and that his minor siblings  
17 performed the services. Phong claims to have giving the proceeds to his father to pay his  
18 siblings.

19 Phong Moua also admitted that he did not spend the amount of time alleged on his  
20 timesheets taking care of K.L. and like Tou Cha, he alleged that the timesheets were  
21 filled out inaccurately at the direction of C Care Services. Phong claimed to provide  
22 services at different times and to make multiple trips to see K.L. Phong stated that owner  
23 Cecilia De Leon told him to just put one block of time on the timesheets so that it was  
24 less confusing and that the actual times on the timesheets were not important as long as  
25 the services were provided. Alaska Administrative Regulation provides that it is the  
26 responsibility of the PCA to ensure that the Medicaid billing records include a timesheet  
27 recording the date, time and length of each visit. See 7AAC 125.120(a)(4).

1 International travel records revealed that PCA Cheng Moua travelled  
2 internationally on six occasions and billed Medicaid on five of these occasions.  
3 Timesheets from C Care Services cover four of the trips and paystubs confirm that he  
4 was paid for these dates of international travel. MFCU investigators were unable to  
5 acquire timesheets from PCA agency U-Care Services for the last period of travel from  
6 November 27, 2013 through December 27, 2013 from Anchorage to Taipei.

7 Cheng Moua first traveled from Anchorage to Taipei on December 15, 2007  
8 through January 15, 2008 and billed Medicaid a total of \$1,197.00 for PCA services he  
9 did not provide. Cheng Moua next traveled from Anchorage to Taipei on November 14,  
10 2009 through December 15, 2009 and billed Medicaid a total of \$1,186.41 for PCA  
11 services he did not provide. Cheng Moua's third trip was from Anchorage to Taipei on  
12 May 19, 2010 through June 13, 2010 and billed Medicaid a total of \$1,542.89 for PCA  
13 services he did not provide. Cheng Moua's last C Care Services related trip was from  
14 Anchorage to Taipei on September 15, 2011 through October 4, 2011 and billed  
15 Medicaid a total of \$1,229.04 for PCA services he did not provide. In total, Cheng Moua  
16 billed Medicaid \$6,460.58 for PCA services he alleged to be performing while he was  
17 actually travelling internationally.

18 Investigator Mandel interviewed Cheng Moua on June 3, 2010 regarding his  
19 Medicaid billing. Cheng Moua reviewed all of his timesheets for the above identified  
20 travel periods and he verified all of the signatures on all of the timesheets. Cheng Moua  
21 stated that he signed each one in the employee signature block and filled out all of the  
22 fields. Cheng Moua also stated that he signed the timesheets on behalf of the recipient  
23 D.X. as D.X. is illiterate and gave him permission to sign her name.

24 Cheng Moua said he was pressured by owner Cecilia De Leon to submit  
25 timesheets during periods of international travel. Cheng Moua said that Cecelia De Leon  
26 called him after his first period of travel and asked why he had not submitted  
27 timesheets. De Leon purportedly told him to submit the timesheets anyway after learning  
of his travel. Cheng Moua declined stating he knew it was not right. Cheng said he was

1 later called by the receptionist and again asked to submit timesheets. When he objected,  
2 he was told that Medicaid pays PCAs for vacation and it was thus ok to bill for travel  
3 time. Cheng also confirmed his son's statements that De Leon told him that the  
4 timesheets did not need to be accurate as long as the services were provided. Finally,  
5 Cheng Moua admitted to travelling to Taipei with Tou Cha in 2011. Cheng Moua  
6 admitted to signing the timesheets for recipient K.M. as his guardian attesting that Tou  
7 Cha provided the services.

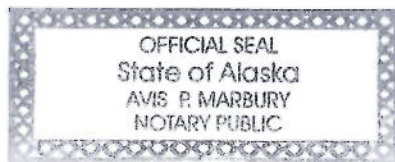
8 Dated at Anchorage, Alaska, this 16<sup>th</sup> day of June, 2015.

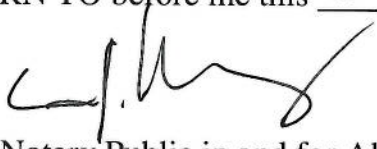
9 CRAIG W. RICHARDS  
10 ATTORNEY GENERAL

11 By: 

12 A. Andrew Peterson  
13 Assistant Attorney General  
14 Alaska Bar No. 0601002

15 SUBSCRIBED AND SWORN TO before me this 16<sup>th</sup> day of  
16 June 2015, at Anchorage, Alaska.



22   
23 Notary Public in and for Alaska  
24 My Commission Expires: End of Hire