

ORIGINAL

SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2017 JUN 20 P 4:17

UNITED STATES OF AMERICA

NO.

v.

DEPUTY CLERK



ALEXIS C. NORMAN (01)

3 - 17 CR - 315 - L

INDICTMENT

The Grand Jury Charges:

At all times material to this indictment:

General Allegations

1. The Texas Medicaid Program (Medicaid) was a state program jointly funded by the State of Texas and the federal government that provided medical and related services to families with dependent children, and aged, blind, or disabled individuals whose income and other financial and economic resources were insufficient for them to meet the cost of necessary medical services. Individuals receiving benefits through Medicaid were referred to as Medicaid "clients."

2. Medicaid was a "health care benefit program" as defined by 18 U.S.C. § 24(b), that affected commerce, and as that term is used in 18 U.S.C. § 1347.

3. Medicaid paid for certain outpatient psychotherapy services provided by licensed counselors in individual, family, and group settings.

The Defendant

4. **Alexis C. Norman**, a resident of Fort Worth, Texas, controlled and operated Janus Children Services, Inc. (Janus) and Therapeutic Outreach Services (Therapeutic). **Norman** is not licensed as a psychotherapist or other mental health provider. **Norman** and her coconspirators submitted false and fraudulent claims to Medicaid under the Janus and Therapeutic group provider numbers for outpatient psychotherapy services that were not provided.

5. On August 4, 2015, **Norman** pled guilty to one count of health care fraud, in violation of 18 U.S.C. § 1347, in connection with a false billing scheme she ran using two companies she owned and operated, Greater Southwest Group, Inc. and Ellis County Community Services. As part of that scheme, **Norman** used the identities of licensed counselors and Medicaid clients without their knowledge or consent to submit claims to Medicaid for psychotherapy services that were not provided. **Norman** appeared before a United States District Court Judge for sentencing on April 7 and 8, 2016, and has been in the custody of the Federal Bureau of Prisons since April 8, 2016.

6. From February 20, 2015, until she was incarcerated on April 9, 2016, **Norman** was on pretrial and presentence supervised release pursuant to 18 U.S.C. §§ 3142 and 3143. The Order Setting Conditions of Release, to which **Norman** agreed, required that she “must not violate federal, state, or local law while on release,” and that she “[n]ot submit any claims to Medicare/Medicaid on behalf of anyone.”

Count One

Conspiracy to Commit Health Care Fraud
(Violation of 18 U.S.C. § 1349 (18 U.S.C. § 1347))

7. Paragraphs 1 through 6 of this indictment are realleged and incorporated by reference as though fully set forth herein.

8. From on or around May 5, 2015, through February 16, 2017, in the Dallas Division of the Northern District of Texas, and elsewhere, **Norman** did knowingly and willfully combine, conspire, confederate, and agree with K.J. and others known and unknown to the grand jury, to violate 18 U.S.C. § 1347, that is, to devise and to execute a scheme and artifice to defraud a health care benefit program affecting commerce, as defined in 18 U.S.C. § 24(b), that is, Medicaid, and to obtain by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, Medicaid, in connection with the delivery of, and payment for, health care benefits, items, and services that were not provided—namely outpatient psychotherapy services.

Purpose of the Conspiracy

9. The purpose of the conspiracy was for **Norman**, K.J., and their coconspirators to unlawfully enrich themselves by submitting, and causing the submission of, and receiving payment for, fraudulent claims to Medicaid, which falsely represented that a licensed mental health professional provided individual and family psychotherapy services, when in fact, no such services were provided, and to conceal these facts from Medicaid and law enforcement.

Manner and Means of the Conspiracy

10. The manner and means by which **Norman, K.J.**, and their coconspirators sought to accomplish the purpose of the conspiracy included, among other things:

11. **Norman, K.J.**, and their coconspirators devised and executed a scheme to defraud Medicaid by submitting false and fraudulent claims for outpatient psychotherapy services that were not provided.

12. **Norman, K.J.**, and their coconspirators applied for and obtained group Medicaid provider numbers for Janus and Therapeutic.

13. As part of the scheme to defraud, **Norman, K.J.**, and their coconspirators obtained the individual Medicaid provider numbers of licensed mental health professionals by soliciting applications for job opportunities, but never hiring the individuals who applied.

14. As part of the scheme to defraud, **Norman, K.J.**, and their coconspirators used the individual Medicaid provider numbers of four licensed mental health professionals, without their knowledge or consent, to submit claims under the Janus and Therapeutic group numbers for services that were not performed.

- (a) Two counselors, T.Y. and D.P., applied for positions at Greater Southwest Group after seeing job postings on Craigslist, but were never hired by **Norman**, Janus, or Therapeutic. D.P. interviewed for the position at Greater Southwest Group at an office location in Cedar Hill, Texas, which is in the Northern District of Texas.
- (b) One of the counselors, I.R., never applied to work with **Norman** or any of her companies.

- (c) One of the counselors, B.R., was hired by **Norman** and worked at Greater Southwest Group briefly during the summer of 2014. However, **Norman** and her coconspirators submitted claims to Medicaid under the Janus group provider number from May 20, 2015, through March 25, 2016, for services B.R. did not perform.

15. As part of the scheme to defraud, **Norman**, K.J., and their coconspirators used the names, dates of birth, social security numbers, and Medicaid numbers of approximately 156 Medicaid clients—mostly minor children—to submit claims for services that were not performed.

16. As a part of the scheme to defraud, **Norman** and K.J. met at restaurants in the Dallas Division of the Northern District of Texas to divide the proceeds received from the fraudulent claims submitted to Medicaid.

17. As a part of the scheme to defraud, **Norman** and K.J. opened a bank account and leased office space in Tyler, Texas for Janus. **Norman** selected Tyler, Texas for an office location to conceal the fraud from the law enforcement authorities in the DFW area that investigated her prior fraud. Other than using the office's address for various Medicaid applications and submissions, **Norman**, K.J., and their coconspirators never occupied or used the office space in Tyler.

18. As a part of the scheme to defraud, **Norman** and K.J. also opened a bank account and leased office space in Waco, Texas, for Therapeutic. **Norman** selected Waco, Texas for an office location in an attempt to avoid the jurisdiction of the Northern District of Texas. Other than using the office's address for various Medicaid applications

and submissions, **Norman, K.J.**, and their coconspirators never occupied or used the office space in Waco.

19. To conceal the fraud, **Norman** provided false testimony at her sentencing hearing on April 8, 2016, when she responded “No, sir.” to the question, “Have you ever submitted any claims to Medicaid or a Medicaid managed care organization under a business other than Greater Southwest Group or Ellis County Community Services?” In fact, **Norman** had submitted numerous false claims to Medicaid under Janus, including \$1,575.00 in claims she submitted on April 7, 2016.

20. During the period of the conspiracy, **Norman, K.J.**, and their coconspirators submitted and caused the submission of claims to Medicaid through Janus and Therapeutic totaling approximately \$810,241.00, and were paid approximately \$428,099.49 for these claims.

All in violation of 18 U.S.C. § 1349 (18 U.S.C. § 1347).

Counts Two through Four

Health Care Fraud, Aiding and Abetting Health Care Fraud,
and Committing an Offense While on Release
(Violations of 18 U.S.C. §§ 1347, 2, and 3147)

21. Paragraphs 1 through 20 of this indictment are realleged and incorporated by reference as though fully set forth herein.

22. On or about the dates specified below, in the Dallas Division of the Northern District of Texas, and elsewhere, **Norman**, in connection with the delivery of, and payment for, health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, a scheme and artifice to defraud a health care benefit program as defined by 18 U.S.C. § 24(b), that is, Medicaid, and to obtain by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of Medicare and Medicaid, that is **Norman** submitted, and aided and abetted in submitting, false and fraudulent claims to Medicaid, seeking reimbursement for the cost of outpatient psychotherapy that was not provided, each claim forming a separate count

Count	Claim No.	Counselor	Group	Date of Submission	Date of Service	Amount Submitted
2	201515645495283	B.R.	Janus	06/05/2015	04/30/2015	\$80.00
3	201605015467326	T.Y.	Janus	02/19/2016	2/19/2016	\$71.00
4	201609829092669	D.P.	Therapeutic	04/07/2016	02/22/2016	\$75.00

23. **Norman** committed each of the foregoing offenses while on release pursuant to a February 20, 2015, order of the United States District Court for the Northern District of Texas in *United States v. Norman*, Case No. 3:15-CR-66-B, which

order notified the defendant of the potential consequences of committing an offense while on release.

All in violation of 18 U.S.C. §§ 1347, 2, and 3147.

Count 5

Health Care Fraud and Aiding and Abetting Health Care Fraud
(Violation of 18 U.S.C. §§ 1347 and 2)

24. Paragraphs 1 through 23 of this indictment are realleged and incorporated by reference as though fully set forth herein.

25. On or about the date specified below, in the Dallas Division of the Northern District of Texas, and elsewhere, **Norman**, in connection with the delivery of, and payment for, health care benefits, items, and services, did knowingly and willfully execute, and attempt to execute, a scheme and artifice to defraud a health care benefit program as defined by 18 U.S.C. § 24(b), that is, Medicaid, and to obtain by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of Medicare and Medicaid, that is **Norman** submitted, and aided and abetted in submitting, a false and fraudulent claim to Medicaid, seeking reimbursement for the cost of outpatient psychotherapy that was not provided:

Count	Claim No.	Counselor	Group	Date of Submission	Date of Service	Amount Submitted
5	201623166451871	I.R.	Therapeutic	08/18/2016	07/31/2016	\$71.00

All in violation of 18 U.S.C. §§ 1347 and 2.

Counts Six through Nine
 Aggravated Identity Theft and Aiding and Abetting
 (Violations of 18 U.S.C. §§ 1028A(a)(1) and 2)

26. Paragraphs 1 through 25 of this indictment are realleged and incorporated by reference as though fully set forth herein.

27. On or about the dates specified below, in the Dallas Division of the Northern District of Texas, and elsewhere, **Norman**, aided and abetted by others, and aiding and abetting others, did knowingly transfer, possess, and use, without lawful authority, a means of identification of another person during and in relation to violations of 18 U.S.C. § 1347, Health Care Fraud, knowing that the means of identification belonged to actual persons, by possessing, transferring, and using the Medicaid provider numbers, and other means of identification of licensed counselors to obtain payment for health care services that were not provided, each transfer, possession, and use forming a separate count:

Count	Claim No.	Counselor	Group	Date of Submission	Date of Service	Amount Submitted
6	201516447761463	B.R.	Janus	06/13/2015	05/30/2015	\$70.00
7	201605015470230	T.Y.	Janus	02/19/2016	02/06/2016	\$71.00
8	201609227309245	D.P.	Therapeutic	04/01/2016	03/30/2016	\$75.00
9	201623466787039	I.R.	Therapeutic	08/21/2016	05/31/2016	\$71.00

All in violation of 18 U.S.C. §§ 1028A(a)(1) and 2.

Forfeiture Notice
(18 U.S.C. § 982(a)(7))

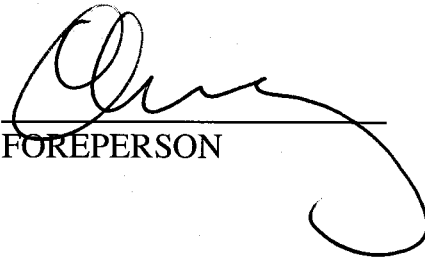
28. Upon conviction of the offenses alleged in Count One through Five of this indictment and pursuant to 18 U.S.C. § 982(a)(2)(B), **Norman** shall forfeit to the United States any property, real or personal, constituting, or derived from, proceeds obtained, directly or indirectly, as a result of such violation(s), and pursuant to 18 U.S.C. § 1028(b)(5), any personal property used or intended to be used to commit the offenses.

29. The above-referenced property subject to forfeiture includes, but is not limited to, a “money judgment” in the amount of U.S. currency constituting the gross proceeds traceable to the offense.

Substitute Assets


30. Pursuant to 21 U.S.C. § 853(p), as incorporated by 18 U.S.C. § 982(b), if any of the above-described property subject to forfeiture, as a result of any act or omission of the defendant, cannot be located upon the exercise of due diligence; has been transferred or sold to, or deposited with, a third person; has been placed beyond the jurisdiction of the Court; has been substantially diminished in value; or has been commingled with other property which cannot be subdivided without difficulty, it is the intent of the United States to seek forfeiture of any other property of the defendant up to the value of the above-described property subject to forfeiture.

A TRUE BILL.



FOREPERSON

JOHN R. PARKER
UNITED STATES ATTORNEY



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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

THE UNITED STATES OF AMERICA

v.

ALEXIS C. NORMAN (01)

INDICTMENT

18 U.S.C. § 1349
Conspiracy to Commit Healthcare Fraud

18 U.S.C. §§ 1347, 2 and 3147
Healthcare Fraud and Aiding and Abetting Health Care Fraud,
and Committing an Offense While on Release

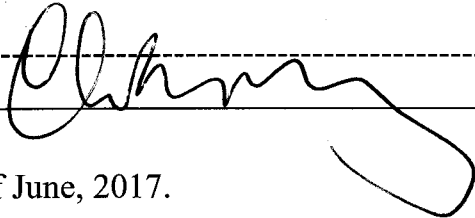
18 U.S.C. §§ 1028A(a)(1) and 2
Aggravated Identity Theft and Aiding and Abetting
Aggravated Identity Theft Forfeiture

18 U.S.C. § 982(a)(7)
Forfeiture Notice

9 Counts

A true bill rendered

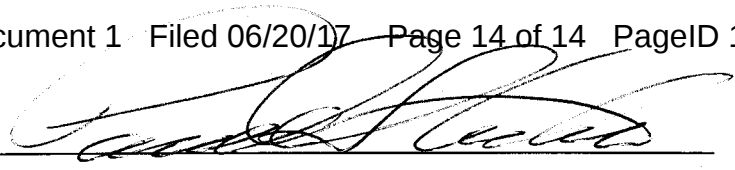
DALLAS



FOREPERSON

Filed in open court this 20th day of June, 2017.

Warrant to be Issued

A handwritten signature in black ink, appearing to be "C. J. ...", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE

No Criminal Matter Pending