

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

STATE OF ALASKA,)
)
Plaintiff,)
)
vs.)
)
SANDY V. MARULANDA,)
DOB: 8/24/1976)
APSIN ID: 7694161)
DMV NO. 7419538 AK)
ATN: 107-504-649) Case No. 3AN-12- CR
)
MAURICE LAQUAN MARULANDA,)
AKA: MAURICIO L. JHON, RENDON)
MAURICEL MARULANDA, JHON)
MARULANDA, MAURICE L.)
MARULANDA)
DOB: 4/9/1976)
APSIN ID: 6820841)
DMV NO. 6820841 AK)
ATN: 107-504-739) Case No. 3AN-12- CR
)
Defendants.)
_____)

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 11.46.130(a)(1)
Theft In The Second Degree
Sandy V. Marulanda - 001
Maurice Laquan Marulanda - 001

Count II - AS 11.46.630(a)(1), (3) or (4)
Falsifying Business Records
Sandy V. Marulanda - 002
Maurice Laquan Marulanda - 002

Count III - AS 47.05.210(a)(1)
Medical Assistance Fraud
Sandy V. Marulanda - 003

Count IV - AS 47.05.210(a)(2)
Medical Assistance Fraud
Maurice Laquan Marulanda - 003

Count V - AS 11.51.210(a)(1)
Endangering The Welfare Of A Vulnerable Adult In The Second Degree
Sandy V. Marulanda - 004
Maurice Laquan Marulanda - 004

Count VI - AS 11.46.130(a)(1)
Theft In The Second Degree
Sandy V. Marulanda - 005
Maurice Laquan Marulanda - 005

Count VII - AS 11.46.630(a)(1), (3) or (4)
Falsifying Business Records
Sandy V. Marulanda - 006
Maurice Laquan Marulanda - 006

Count VIII - AS 47.05.210(a)(1)
Medical Assistance Fraud
Sandy V. Marulanda - 007

Count IX - AS 47.05.210(a)(2)
Medical Assistance Fraud
Maurice Laquan Marulanda - 007

THE OFFICE OF SPECIAL PROSECUTION AND APPEALS CHARGES:

Count I

That on or about May 9, 2012 to July 21, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA and MAURICE

LAQUAN MARULANDA committed the crime of theft and the value of the property or services was \$500 or more.

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

Count II

That on or about May 9, 2012 to July 21, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA and MAURICE LAQUAN MARULANDA with intent to defraud, made or caused a false entry in the business records of an enterprise.

All of which is a class C felony offense being contrary to and in violation of AS 11.46.630(a)(1), (3) or (4), and against the peace and dignity of the State of Alaska.

Count III

That on or about May 9, 2012 to July 21, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA, 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 class C felony offense being contrary to and in violation of AS 47.05.210(a)(1), and against the peace and dignity of the State of Alaska.

Count IV

That on or about May 9, 2012 to July 21, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, MAURICE LAQUAN MARULANDA, knowingly prepared or assisted another person to prepare a claim for submission 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 class C felony offense being contrary to and in violation of AS 47.05.210(a)(2), and against the peace and dignity of the State of Alaska.

Count V

That on or about May 9, 2012 to July 21, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA and MAURICE LAQUAN MARULANDA failed without lawful excuse to provide support for a vulnerable adult, and the vulnerable adult was under the defendant's care by contract or authority of law.

All of which is a class A misdemeanor offense being contrary to and in violation of AS 11.51.210(a)(1), and against the peace and dignity of the State of Alaska.

Count VI

That on or about October 1, 2011 to November 2, 2011, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA and MAURICE LAQUAN MARULANDA committed the crime of theft and the value of the property or services was \$500 or more.

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

Count VII

That on or about October 1, 2011 to November 2, 2011, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA and MAURICE LAQUAN MARULANDA with intent to defraud, made or caused a false entry in the business records of an enterprise.

All of which is a class C felony offense being contrary to and in violation of AS 11.46.630(a)(1), (3) or (4), and against the peace and dignity of the State of Alaska.

Count VIII

That on or about October 1, 2011 to November 2, 2011, at or near Anchorage in the Third Judicial District, State of Alaska, SANDY V. MARULANDA, 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 class C felony offense being contrary to and in violation of AS 47.05.210(a)(1), and against the peace and dignity of the State of Alaska.

Count IX

That on or about October 1, 2011 to November 2, 2011, at or near Anchorage in the Third Judicial District, State of Alaska, MAURICE LAQUAN MARULANDA , knowingly prepared or assisted another person to prepare a claim for submission 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 class C felony offense being contrary to and in violation of AS 47.05.210(a)(2), and against the peace and dignity of the State of Alaska.

PROBABLE CAUSE:

On March 15, 2012, Adult Protective Services (APS) received a report of harm made by Pamela Engle of Anchorage Neighborhood Health Clinic. Engle reported that Mario Rodriguez was unable to manage his medications and Diabetes appropriately, and his poor hygiene was affecting his health condition. APS employee Ivory McDaniel conducted an interview with Rodriguez to evaluate his medical conditions. During this interview, Rodriguez expressed a desire to remain in his home. McDaniel contacted C Care Services to coordinate and provide Rodriguez with the services of a Personal Care Assistant (PCA) in order to allow Rodriguez to remain in his home.

PCAs are health care providers that the Alaska Medicaid Program pays to provide services which will allow Medicaid recipients to stay in their home rather than be placed in a nursing home type setting. Medicaid recipients are evaluated for their needs, and a PCA is then hired to provide those needs in the recipient's home. The PCA fills out a timesheet for the work done and submits the timesheet to the PCA agency, which in turn bills Medicaid. Medicaid pays approximately \$21 an hour to the

agency, and the agency must pay the PCA at least half of that amount, but a standard rate of \$16.00 - \$16.50 is normal for Alaska.

McDaniel was referred to intake coordinator Maurice Marulanda. Maurice met with Rodriguez in mid-April and reported to APS that Rodriguez was in bad shape, not taking his medications and having problems with his eyesight. APS found the allegation of self-neglect substantiated, and determined that Rodriguez was a vulnerable adult due to his limited mobility, Diabetes, and limited ability to understand his Diabetes and perform self-care. APS made a referral to C-Care Services who agreed to provide PCA services to Rodriguez. Maurice Marulanda asked his wife Sandy Marulanda to become Rodriguez's PCA.

On July 20, 2011, Adult Protective Services (APS) again received a report of harm involving Rodriguez. This time the report was made by The Adelaide resident manager, Patricia Theis, alleging that Rodriguez appeared to be un-bathed, in dirty clothing, and living in unsanitary conditions. Theis further alleged that Rodriguez is not able to care for himself and that the people who were supposed to be caring for him were not providing him with any services.

APS interviewed Rodriguez on July 23, 2011 and Rodriguez reported that no one ever showed up to clean his home or assist him with other duties. Rodriguez further stated that Maurice came by and handed him papers through his window for him to sign. Rodriguez was interviewed again on July 27, 2012, and again stated that nobody ever came by his apartment to provide him with any kind of services, and that a man he called "Mauricio" came by his window to ask him to sign a form, but never comes into the house. During the interview, Maurice actually knocked on the window to tell Rodriguez he had an appointment. EMS was called on July 27, 2012 and Rodriguez was transported to Providence Medical Center for treatment due to not having eaten in days and having dry gangrene on his toes, on both his left and right feet with a serious infection in his left great toe.

Medicaid Fraud Control Unit (MFCU) investigator Kandi Stewart reviewed timesheets for PCA Sandy Marulanda indicating that she performed PCA

services for Rodriguez from May 9, 2012 to July 21, 2012. The timesheets documented the specific services that Sandy Marulanda alleged to provide each day including toileting, personal hygiene, bathing, medication, light and main meal preparation, shopping, light housework, and laundry. The timesheet contains a signature block for both the PCA and the recipient of services with a warning that misrepresenting the time and/or hours worked may constitute fraud. The signature for Rodriguez appears to be a copy as his signature appears to be identical on each timesheet. Sandy Marulanda billed Medicaid a total of \$3,328.99 for the services she claimed to have provided Rodriguez from May 9, 2012 to July 21, 2012.

MFCU investigators reviewed security video for The Adelaide on May 9, 2012. The video shows that Rodriguez left the complex at 9:16 a.m. and did not return until 12:46 p.m. Sandy Marulanda was not observed on the video coming or going from Rodriguez's apartment on May 9, 2012 between 9:00 a.m. to 1:00 p.m. Sandy Marulanda's timesheet, however, indicates that she helped Rodriguez toilet twice, bath, light meal prep, main meal prep and medication.

On August 29, 2012, MFCU investigators interviewed Sandy Marulanda. Sandy admitted that she signed all of the timesheets submitted for Rodriguez's care between May 9, 2012 and July 21, 2012. When asked how she got into the apartment, Sandy indicated that sometimes she would go through the front door or the window. When Rodriguez did not answer she would just leave. Sandy further admitted to not providing all of the tasks indicated on the timesheet. MFCU investigators confronted Sandy Marulanda with the evidence from the security videos, and Rodriguez's statements about never receiving care, and Sandy admitted not providing PCA services for Rodriguez for very long. She later stated that she was going to provide the PCA services for Rodriguez, but that she didn't think she had the will to.

MFCU investigators also interviewed Maurice Marulanda who admitted being the intake coordinator for C-Care Services, and being responsible for aiding recipients in choosing a PCA, and reviewing with the recipient and PCA the services that are approved, and how to complete timesheets. Initially Maurice claimed that he

was always present with Sandy in Rodriguez's apartment and that he was providing some of the services to Rodriguez such as bathing. Maurice further stated that he and Sandy would enter the building through the back door. When confronted with the security video, Maurice admitted to not always providing the services. Maurice then stated that he and Sandy only visited Rodriguez's apartment "several times."

Maurice Marulanda was interviewed again on November 8, 2012. Maurice admitted during this interview that he had Rodriguez sign the timesheets by handing them to him through the apartment window. He further admitted that Sandy never went into the apartment, and only viewed the apartment from the window. Maurice further stated that he would have sought medical attention for Rodriguez had he known the extent of his condition.

Rodriguez was found to be in denial about his toes being dead. Rodriguez's right foot was swollen, black and his big toe was basically rotting off of his foot. Several toes on the left foot were also beginning to rot. Dr. Montana with Providence Medical Center noted that Rodriguez was completely unaware of the severity of the infection in his feet and believed that his feet were just dirty. Rodriguez's inability to comprehend his current medical condition is consistent with concerns expressed by APS and his treating physician back in April of 2012.

Sandy Marulanda was also being paid as the PCA for recipient Luz Rendon from September 25, 2011 through July 21, 2012. MFCU investigators received border crossing records from Immigration and Naturalization Service for Rendon which showed that she traveled from Orlando, Florida to Panama on Copa Airlines flight 445 on October 1, 2011, and did not return to the United States until November 2, 2011 when she flew into Newark, New Jersey on Continental Airlines flight 1022. Sandy Marulanda submitted timesheets reflecting that she was providing care for Rendon from October 11, 2011 to November 2, 2011 and billed Medicaid a total of \$688.49 for this time.

Sandy Marulanda was asked about billing for services provided to Rendon while Rendon was out of the country during her interview. Sandy Marulanda admitted

that the timesheets were signed by her and further admitted that she and Rendon agreed that she would bill for providing PCA services while Rendon was gone and then she would later provide extra services to Rendon to make up the time. Maurice also acknowledged knowing that Luz Rendon was out of the country, but claimed that he was caring for her house while she was gone and that Rendon signed the timesheets for him.

Criminal History: Jhon M. Marulanda

CASE NO.	CLOSE	CLASS	CHARGE
3AN-98-04428 CR	3/3/99	M/B	Disorderly Conduct

Dated at Anchorage, Alaska, this 3rd day of January, 2013.

MICHAEL C. GERAGHTY
ATTORNEY GENERAL

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

SUBSCRIBED AND SWORN TO before me this ____ day of
February 2013, at Anchorage, Alaska.

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