

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

STATE OF ALASKA, )  
)  
Plaintiff, )  
)  
vs. )  
)  
JONG HAE CHOI, )  
DOB: 8/27/1955 )  
APSIN ID: 7361631 )  
DMV NO. 7249614 AK )  
ATN: 114-356-034 ) Case No. 3AN-13- CR  
)  
EUN SOOK HAN, )  
DOB: 11/24/1961 )  
APSIN ID: 7442304 )  
DMV NO. 7302370 AK )  
ATN: 114-356-025 ) Case No. 3AN-13- CR  
)  
Defendants. )  
)  

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3AN-13-459 SW

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)Fel C  
Medical Assistance Fraud  
Jong Hae Choi - 001  
Eun Sook Han - 001

Count II - AS 47.05.210(a)(2)Fel B  
Medical Assistance Fraud  
Jong Hae Choi - 002

Count III - AS 47.05.210(a)(5) Misd A  
Medical Assistance Fraud  
Jong Hae Choi - 003

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

**Count I**

That on or about December 26, 2010 through March 31, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, JONG HAE CHOI and EUN SOOK HAN, 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 II**

That on or about December 26, 2010 through March 31, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, JONG HAE CHOI, 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 B 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 III**

That on or about January 2010 through March 31, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, JONG HAE CHOI, knowingly made a false entry or falsely altered a medical assistance record.

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

**Probable Cause:**

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

On February 26, 2013, The Medicaid Fraud Control Unit (MFCU) received a fraud referral from Lynne Keilman-Cruz, RN of the Division of Senior and Disability Services (DSDS) with the Department of Health and Social Services (DHSS). The referral provided that on January 18, 2013, DHSS employees made a presentation to the residents of Chugach Manor and Chugach View apartments located in Anchorage, which are low income housing facilities operated by Alaska Housing Finance Corporation. After the presentation a 91 year old resident approached Keilman-Cruz and reported that she had been solicited for and pressured to accept personal care attendant (PCA) services by a Good Faith Services, LLC (Good Faith) employee. The resident reported that she only agreed to services on three days per week and that the PCA stopped coming to her apartment after the resident returned from an out-of-state vacation.

PCAs are health care providers that the Alaska Medicaid Program pays to provide home based healthcare 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 healthcare needs and a PCA is then hired by the recipient to provide those needs in the recipient's home. The PCA fills out a timesheet for the work done and submits it to a PCA agency that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to the agency and the agency must pay the PCA at least half of that amount. The MFCU initiated a medical assistance fraud investigation based on the above allegations.

DHSS identified a number of PCAs that appeared to be submitting unusually high bills to Medicaid for performing PCA services. In April 2013, Investigator Anderson reviewed Medicaid billings by Eun Sook Han and compared her billing records to travel records provided by Immigration and Customs Enforcement (ICE). ICE provided Investigator Anderson with travel documents revealing that Han traveled out of country from April 3, 2011 through April 24, 2011 and again from February 12, 2012 through February 17, 2012. Medicaid billing records indicated that Han billed for providing Medicaid services during this time period. Timesheets

submitted under Han's name indicated that Han was also billing Medicaid for simultaneously providing PCA services to multiple Medicaid recipients. A review of these timesheets and an interview with Han revealed that her husband, Jong Choi, was signing her signature on the timesheets, submitting the timesheets to Good Faith for payment and picking up Eun Sook Han's paychecks.

On May 1, 2013, Investigator Anderson interviewed Han. Han explained that it was her husband, Jong Hae Choi, that was providing the services to the recipients when she was out of the country and that he signed her name on the timesheet. Han said that Choi told her he checked with the provider agencies and was informed that since he was a PCA there was nothing wrong with him serving as her "back-up" PCA. Han also explained that the overlapping times between recipient care was due to her husband providing care for two recipients and billing the care under her name. Han proceeded to identify her husband's signatures on the timesheets.

Han initially claimed that Choi had permission from the PCA agencies to bill Medicaid for PCA services under her name. Han finally admitted that her conversation with the agencies involved only the ability of Choi to pick-up her paycheck. Han stated that her husband had some financial issues in the past and that was the reason he was billing under Han's name. Han tried to confront her husband about the various questions she had, but he would simply get angry and simply state that he had permission to be her "backup" PCA.

Investigator Anderson learned from DHSS that Choi was previously barred from being a PCA for failing a required background check resulting from a theft arrest. Investigator Anderson confirmed with DHSS that there is no provision in Medicaid that allows a barred provider to serve as a "backup" PCA.

Choi met with Investigator Anderson and admitted to submitting timesheets under his wife's name, but claimed that he had in fact provided PCA services to the Medicaid recipients. Choi alleged being authorized to submit the timesheets in his wife's name and claimed that permission was given to him by representatives of a PCA Agency, C-Care Services. Choi billed Medicaid a total of \$20,569.61 by signing

his wife's name to Medicaid billing timesheets and acting as Han's "backup" PCA from December 26, 2010 through March 31, 2012.

Representatives of C-Care Services informed Investigator Anderson that all PCAs are provided an interpreter to better understand the rules of the PCA program if one is necessary. Frank Woo informed Investigator Anderson that C-Care Services received notice in July 2008 that Choi was barred from serving as a PCA. Choi approached C-Care Services in 2010 and asked to go back to work. Choi presented C-Care Services with a court document indicating his case was dismissed without prejudice. C-Care Services reinstated Choi at this point based upon his representation that he was entitled to work as a PCA and again requested a new background check. C-Care Services received another notice from the DHSS background check unit in December 2010 indicating that Choi was barred until October 28, 2013. A review of the document provided by Choi to C-Care Services revealed that he presented the agency with a document from an unrelated case in 2005 as proof that his 2008 theft case was dismissed. Choi billed Medicaid \$46,865.98 for PCA services from January 22, 2010 through November 20, 2010 when he was actually barred from serving as a PCA.

**Bail Information:**

Jong Hae Choi

CONV COURT	CONV DATE	CONVICTING CHARGE	COURT DOCKET	POS ID	FEL	ATN
DAN	10/28/08	ISSUING BAD CHECK VALUE \$500 - \$24,	3AN-08-7223	Y	N	1108383312

Dated at Anchorage, Alaska, this \_\_\_\_ day of July, 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  
July 2013, at Anchorage, Alaska.

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