

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

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 HEATHER ANN LEE,)
 DOB: 1/31/1976)
 APSIN ID: 6530834)
 DMV NO. 6530834 AK)
 ATN: 114-356-655)
)
 Defendant.)
)
 _____)
 Case No. 3AN-14- 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) Fel C
Medical Assistance Fraud
Heather Ann Lee - 001

Count II - AS 47.05.210(a)(5) Mis A
Medical Assistance Fraud
Heather Ann Lee - 002

THE OFFICE OF SPECIAL PROSECUTIONS CHARGES:

Count I

That on or about December 29, 2012 through January 2, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, HEATHER ANN LEE, 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 29, 2012 through January 2, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, HEATHER ANN LEE, 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 Statement:

The undersigned swears under oath this Information is based upon a review of the Medicaid Fraud Control Unit (MFCU) investigative report submitted to date.

Lynne Keilman-Cruz with the Department of Health and Social Services (DHSS) Division of Quality Assurance (QA) reported in August 2013 that she received a call from Good Faith Services, a personal care attendant (PCA) agency, reporting that two PCAs submitted timesheets claiming to be providing care simultaneous for the same Medicaid recipient.

The investigation by MFCU into the above allegation of fraud associated with Medicaid recipient J.J revealed that PCA Heather Lee billed Medicaid for providing PCA, chore and respite services while the recipient was hospitalized. Specifically, Medicaid billing records revealed that Heather Lee billed Medicaid from December 29, 2012 through January 2, 2013 for providing services to recipient J.J. The timesheets indicate that Lee was assisting J.J. with body mobility, transferring, moving around her room, taking medications, dressing, eating, bathing, toileting and escorting. In total, Lee was billing Medicaid for between 10 to 15 hours of services daily for a total of \$1,584.61. Medicaid regulations specifically prohibit the billing for PCA, chore

and respite services while a recipient is in the hospital. See 7AAC 125.050(b)(1). Lee also submitted timesheets to Alaska Home Care alleging to be providing services to a different Medicaid recipient during the same times she claimed to be providing care for recipient J.J.

Lee was interviewed on May 14, 2014 regarding the timesheets she submitted to Medicaid claiming to be providing services to recipient J.J. while J.J. was hospitalized. Lee confirmed her signatures on all but one of the timesheets submitted with respect to recipient J.J. Lee further confirmed that J.J.'s boyfriend M.B called her and informed her that J.J. was hospitalized. Lee further acknowledged that at times she would not provide services to J.J. and instead would pay M.B. for providing the services despite M.B. not being authorized to provide PCA services and/or bill Medicaid.

Dated at Anchorage, Alaska, this ____ day of September, 2014.

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
September 2014, at Anchorage, Alaska.

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