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

STATE OF ALASKA,

Plaintiff,

vs.

EDNA LAXAMANA

DOB: 04/15/1951

APSIN ID: 6486786

DMV NO.: 6486786

ATN: 115745517

Defendant.

No. 3AN-17-\_\_\_\_\_ 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

Edna Laxamana - 001

Count II - AS 47.05.210(a)(5)

Medical Assistance Fraud

Edna Laxamana - 002

Count III - AS 47.05.210(a)(5)

Medical Assistance Fraud

Edna Laxamana - 003

Count IV - AS 47.05.210(a)(5)

Medical Assistance Fraud

Edna Laxamana - 004

Count V - AS 47.05.210(a)(5)

Medical Assistance Fraud

Edna Laxamana - 005

1 THE ATTORNEY GENERAL CHARGES:

2 COUNT I

3 That in the Third Judicial District, State of Alaska, between December 2010 and  
4 January 2013, at or near Anchorage, EDNA LAXAMANA knowingly submitted or  
5 authorized the submission of a claim to a medical assistance agency for property,  
6 services, or a benefit with reckless disregard that the claimant was not entitled to the  
7 property, services, or benefit.

8 All of which is a Class C Felony offense being contrary to and in violation of AS  
9 47.05.210(a)(1) 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 about December 2010,  
12 at or near Anchorage, EDNA LAXAMANA knowingly made a false entry or falsely  
13 altered a medical assistance record.

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

16 COUNT III

17 That in the Third Judicial District, State of Alaska, on or about July 2011, at or  
18 near Anchorage, EDNA LAXAMANA knowingly made a false entry or falsely altered a  
19 medical assistance record.

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

22 COUNT IV

23 That in the Third Judicial District, State of Alaska, on or about April 2012, at or  
24 near Anchorage, EDNA LAXAMANA knowingly made a false entry or falsely altered a  
25 medical assistance record.  
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1 All of which is a Class A Misdemeanor offense being contrary to and in  
2 violation of AS 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

3  
4 **COUNT V**

5 That in the Third Judicial District, State of Alaska, on or about December 2012,  
6 at or near Anchorage, EDNA LAXAMANA knowingly made a false entry or falsely  
7 altered a medical assistance record.

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

10 The undersigned swears under oath this Information is based upon a review of  
11 the Medicaid Fraud Control Unit's ("MFCU") investigation into the travel billing of Edna  
12 Laxamana and the supporting documents collected during the investigation.

13  
14 Edna Laxamana has been providing services as a personal care attendant  
15 ("PCA") for her mother, Medicaid recipient E.L., since approximately 2010. In order to  
16 participate in the Medicaid program as a PCA, Laxamana had to complete training and  
17 receive a certification to provide PCA services to Medicaid recipients. *See* 7 ACC  
18 130.220. Pursuant to 7 AAC 105.220(a)(1), as enacted through Alaska Statute Title 47,  
19 any person who provides medical services to a Medicaid recipient or bills the state for  
20 their services agrees to "comply with all applicable federal and state laws related to  
21 providing medical or medically related services to Medicaid recipients in this state." *See*  
22 *also* 7 ACC 105.210(b)(3)(requiring that anyone seeking enrollment with the state to  
23 provide Medicaid services agrees to follow all state and federal applicable laws).

24 When providing services to a Medicaid recipient, all providers, including the  
25 licensed PCA agency and their employees, are required by 7 AAC 105.230(a) to  
26 "maintain accurate financial, clinical, and other records necessary to support the services  
27 for which the provider requests payment. The provider shall ensure that the provider's  
staff, billing agent, or other entity responsible for the maintenance of the provider's

1 financial, clinical, and other records meets the requirements of this section.” Included  
2 among the documentation a PCA and/or their agency is required to maintain are  
3 supporting documents that demonstrate that the services being provided to a recipient  
4 would permit the disbursement of Medicaid payments. The PCA or agency is not only  
5 required to maintain records of the treatment that was provided to the recipient, but are  
6 also required to maintain documentation regarding the “specific services provided” and  
7 the “date on which the service was provided.” 7 AAC 105.240 requires the care provider  
8 to produce the above-referenced documentation upon request by an authorized agency,  
9 such as MFCU.

10 PCAs, including Laxamana, are enrolled in Medicaid as home-based healthcare  
11 providers. The Alaska Medicaid Program pays PCAs to provide services to aid with the  
12 daily living of Medicaid recipients, which will allow Medicaid recipients to stay in their  
13 home rather than being placed in an assisted living home type setting. Medicaid  
14 recipients are evaluated for medical needs by an employee of DHSS and the recipient is  
15 then authorized to hire a qualified PCA to provide home-based healthcare services. The  
16 PCA provides the approved level and type of services and is required to fill out a  
17 timesheet for the work performed. If the PCA is working for a service agency, the  
18 timesheet is initially submitted to the licensed agency. The agency uses that timesheet as  
19 the documented basis for the services provided to recipients, and bills Medicaid for the  
20 services set forth in the timesheet; the agency maintains a copy of that timesheet in  
21 accordance with the above-stated regulations. Medicaid pays approximately \$24 an hour  
22 to the agency for the service, and the agency is required to pay the PCA at least half of  
23 that amount.

24 On October 11, 2016, Immigrations and Customs Special Agent Timothy Brady  
25 notified MFCU investigators that both Medicaid recipient E.L. and PCA Laxamana had  
26 been outside of the country during separate timeframes, for long periods of time from  
27 2009 to the present. A review of Medicaid records indicated that on multiple occasions,  
Medicaid paid for services allegedly provided to E.L. by Laxamana, while E.L. was out  
of the state or country. PCAs are only permitted to bill for services they personally

1 perform in the recipient's residence, and the billing and documentation must accurately  
2 reflect what services were personally provided and when they were rendered by the  
3 PCA. Since recipient E.L. or PCA Laxamana were not physically in the country when  
4 several of the claimed services were allegedly rendered, it would have been impossible  
5 for Laxamana to have actually provided those services. This is generally referred to as  
6 "travel fraud."

7 Specifically, in Laxamana's case, flight records indicate that Medicaid recipient  
8 E.L. was out of the country from December 8, 2010 until February 6, 2011, and from July  
9 12, 2011 until October 6, 2011. Edna Laxamana remained in the country during both  
10 these time periods. Travel documents also demonstrated that Edna Laxamana traveled  
11 outside of the country from April 11, 2012 until May 8, 2012, and from December 24,  
12 2012 until January 7, 2013. During both of these time periods, Medicaid recipient E.L.  
13 remained in the country.

14 Edna Laxamana submitted timesheets to the PCA agency indicating she was  
15 providing PCA services to E.L. during each of the four time periods described above,  
16 where either Laxamana or E.L. was out of the country. Due to these fraudulent  
17 submissions, Medicaid made payments totaling \$24,603.86 for services allegedly  
18 performed while either Laxamana or E.L. was out of the country.

19 Edna Laxamana was interviewed by a MFCU investigator. When presented with  
20 the timesheets she submitted during the periods where she or E.L. were traveling, she  
21 confirmed that both she and E.L. had signed each timesheet. Laxamana originally told  
22 the investigator that she traveled with E.L. during each of the four time periods in  
23 question; when confronted with the travel records, which indicated they had not both  
24 traveled during any of the four time periods, Laxamana asked why the PCA agency  
25 accepted those timesheets. Laxamana eventually stated that E.L. would pre-sign  
26 timesheets prior to travel. Pre-signing timesheets is not permitted under Medicaid  
27 regulations. Laxamana stated she was unaware that she was committing fraud when she  
submitted timesheets for PCA services she did not perform. However, she admitted that  
she had worked for three separate PCA agencies over the course of approximately 17

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years, and that she had received training from two of the three agencies, including training specific to Medicaid fraud.

BAIL INFORMATION

The defendant has no known prior convictions.

Dated at Anchorage, Alaska, this 10th day of October, 2017.

JAHNA LINDEMUTH  
ATTORNEY GENERAL

By: \_\_\_\_\_  
Jenna L. Gruenstein  
Assistant District Attorney  
Alaska Bar No. 0912086