

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

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6
7 TREVOR LEE KOEN
8 DOB: 03/31/1996
9 APSIN ID: 7122182
10 DMV NO.: 7070202 AK
11 ATN: 115745337

12 Defendant.

13 No. 3AN-18-_____ CR (Trevor Lee Koen)

14 INFORMATION

15 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:

16 Count II - AS 47.05.210(a)(5)
17 Medical Assistance Fraud
18 Trevor Lee Koen

19 THE OFFICE OF SPECIAL PROSECUTIONS CHARGES:

20 COUNT II

21 That in the Third Judicial District, State of Alaska, on or about August 29, 2018, at or
22 near Anchorage, TREVOR LEE KOEN, knowingly made a false entry or falsely altered a
23 medical assistance record.
24

25 All of which is a Misdemeanor class A offense being contrary to and in violation of
26 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.
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1
2 The undersigned swears under oath this Information is based upon a review of police
3 report 0691159 submitted to date.

4 This PCA fraud case arose from a tip given to the Medicaid Fraud Control Unit
5 (MFCU) on or about August 7th, 2018. PCAs, or Personal Care Assistants, are enrolled in
6 Medicaid as home- or community-based healthcare providers. The Alaska Medicaid Program
7 pays PCA agencies to provide services of daily living to senior or disabled Medicaid recipients,
8 which will allow Medicaid recipients to stay in their home rather than be placed in an assisted
9 living home type setting or other long-term care facility. Medicaid recipients are evaluated for
10 medical needs by an employee of the Department of Health and Social Services. The DHSS
11 evaluator decides on an appropriate number of hours and the types of services for the recipient to
12 receive home healthcare based on the recipient's individualized needs. The Medicaid recipient is
13 then authorized to hire a PCA provider through a PCA agency to provide those home- or
14 community-based based healthcare services. The PCA provider, as an employee of the PCA
15 agency, fills out a timesheet for the work done over the course of specific day or week and both
16 the PCA provider and the recipient (or guardian/power of attorney) signs the timesheet. On the
17 timesheet, the PCA provider lists the specific activities they did that day, such as "dressing,"
18 "bathing," "exercise," etc. along with an associated number of hours that activity took to
19 complete. The PCA provider then submits the timesheet to the PCA agency. The PCA agency
20 in turn bills Medicaid for the work reflected on the PCA provider's timesheet under a particular
21 code – typically code T1019. Medicaid pays approximately \$24 an hour to the PCA agency and
22 the agency must pay the PCA provider at least half of that amount.
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1 Similarly, a Medicaid recipient can also be approved for chore and respite services,
2 with similar approval of hours and third party agencies coordinating those services. A PCA may
3 provide both PCA services and chore services for the recipient, often back-to-back in the same
4 day, and may fill out similar timesheets. The chore services timesheet includes services such as
5 “vacuum,” “laundry,” etc. The agency then uses those timesheets to bill Medicaid, typically
6 under code S5120. Medicaid pays approximately \$20 an hour to the PCA agency and the agency
7 in turn pays the PCA provider a portion of that amount.
8

9 On August 7th, 2018 a tipster from a PCA agency called MFCU Investigator Don
10 McLeod to report PCA provider Trevor Koen and Client A were potentially engaging in PCA
11 fraud. Specifically, the tipster described that Koen was working a full-time job, and claiming to
12 provide PCA services to Client A at the same hours of the day that he was working at the job.
13

14 The case was assigned to MFCU Inv. Loughton for investigation. Inv. Loughton
15 discovered that Koen was working as a manager at the UAA and/or Providence Hospital Subway
16 restaurants. Inv. Loughton received Koen’s work schedule for the time periods of Jan. 2017-
17 Aug. 2018, which include the precise minutes that Koen clocked in and out of his job at Subway.
18 Inv. Loughton also retrieved Koen’s PCA timesheets from his PCA agency. Inv. Loughton
19 compared the PCA timesheets with the Subway clocking in and out times, and observed
20 systematic and consistent overlap between the times Koen was working at Subway and the times
21 Koen claimed to be providing PCA services to Client A.
22

23 By way of example, on Feb. 10th, 2017, Koen clocked into Subway at 13:59, and
24 clocked out of Subway at 21:48. He wrote on his PCA timesheet that he worked from 13:00 to
25 18:00 on that day. Therefore, he committed fraud because – at a minimum – he did not perform
26 any PCA work from 13:59 to 18:00.
27

1 By way of another example, on Aug. 10th, 2018 the PCA agency sent someone to speak
2 with Client A about a routine issue. The PCA agency employee was at Client A's home from
3 11:00 to 12:45. During that time, the employee did not observe Koen providing PCA services to
4 Client A. In fact, according to Client A, Koen was asleep in his bedroom. Later, the PCA
5 agency employee observed that Koen claimed to have provided PCA services from 09:00 to
6 14:00. Thus, Koen committed fraud because – at a minimum – he did not provide PCA services
7 from 11:00 to 12:45 on that day.

8
9 Inv. Loughton observed approximately 90 days where there was similar overlap fraud.
10 Overall, Inv. Loughton found approximately \$4,308.35 worth of Medicaid fraud just by
11 analyzing the overlap billing between the Subway records, the Aug. 10th visit, and the PCA
12 agency timesheet records in the case.

13 Koen committed the crime of Medicaid fraud, AS § 47.05.210(a)(5) by knowingly
14 making a false entry in his PCA timesheets consistently throughout the timeframe of Jan. 2017-
15 Aug. 2018, for claiming on his timesheets that he was working with Client A while he was not
16 working with Client A.

17
18 BAIL INFORMATION

19 The defendant has the following convictions in Alaska: None.

20
21 Dated at Anchorage, Alaska, this ____ day of September, 2018.

22 JAHNA LINDEMUTH
23 ATTORNEY GENERAL

24 By: _____
25 Eric Senta
26 Assistant Attorney General
27 Alaska Bar No. 1011091