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

STATE OF ALASKA,

Plaintiff,

vs.

KHAM MONG YANG

DOB: 02/08/1970

APSIN ID: 8254802

DMV NO.: 7519441

ATN: 115745931

Defendant.

No. 3AN-21-_____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: NONE

Count I - AS 47.05.210(a)(1)Fel C
Medical Assistance Fraud
Kham Mong Yang - 001

Count II - AS 47.05.210(a)(2)Fel C
Medical Assistance Fraud
Kham Mong Yang - 002

Count III - AS 11.46.600(a)(2)
Scheme To Defraud
Kham Mong Yang - 003

Count IV - AS 11.46.130(a)(1)
Theft In The Second Degree
Kham Mong Yang - 004

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Count V - AS 11.46.140(a)(1)
Theft In The Third Degree
Kham Mong Yang - 005

Count VI - AS 47.05.210(a)(5)
Medical Assistance Fraud
Kham Mong Yang - 006

THE ATTORNEY GENERAL CHARGES:

COUNT I

That between February 2, 2020 and June 20, 2020, at or near Anchorage, in the Third Judicial District, State of Alaska, KHAM MONG YANG 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 and the value of the property, services or benefit was \$500.00 or more but less than \$25,000 to wit: \$16,750.80.

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 between February 2, 2020 and June 20, 2020, at or near Anchorage, in the Third Judicial District, State of Alaska, KHAM MONG YANG, 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 and the value of the property, services or benefit was \$500.00 or more but less than \$25,000 to wit: \$16,750.80.

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.

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COUNT III

That between February 2, 2020 and June 20, 2020, at or near Anchorage, in the Third Judicial District, State of Alaska, KHAM MONG YANG engaged in conduct constituting a scheme to defraud one or more persons of \$10,000 or to obtain \$10,000 or more from one or more persons by false or fraudulent pretense, representation, or promise and obtained property or services in accordance with the scheme to wit: \$16,750.80.

All of which is a class B felony offense being contrary to and in violation of AS 11.46.600(a)(2) and against the peace and dignity of the State of Alaska.

COUNT IV

That between February 4, 2020 and June 20, 2020, in the Third Judicial District, State of Alaska, at or near Anchorage, KHAM MONG YANG committed the crime of theft and the value of the property or services was \$750 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 V

That between February 2, 2020 and June 20, 2020 at or near Anchorage, in the Third Judicial District, State of Alaska, KHAM MONG YANG committed the crime of theft and the value of the property or services was \$250 or more but less than \$750.

All of which is a class A misdemeanor offense being contrary to and in violation of AS 11.46.140(a)(1) and against the peace and dignity of the State of Alaska.

COUNT VI

That between February 2, 2020 and June 20, 2020, in the Third Judicial District, State of Alaska, at or near Anchorage, KHAM MONG YANG knowingly made a false entry or falsely altered a medical assistance record.

1 All of which is a class A misdemeanor offense being contrary to and in violation
2 of AS47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

3
4 The undersigned swears under oath this Information is based upon a review of
5 Medicaid Fraud Control Unit (MFCU) report 0971007 submitted to date.

6 On August 8, 2020 Killian Holden, Health Program Manager II, Senior &
7 Disabilities Services - Quality Assurance Unit provided a Medicaid Program Integrity
8 Referral to the Alaska Medicaid Fraud Control Unit (MFCU). According to the referral
9 provider KHAM YANG who was enrolled with the Medicaid Program as Personal Care
10 Attendant (PC) and who was working with an agency called McKinley Services had been
11 submitting claims to the Medicaid Program for services when the enrolled recipient was
12 physically out of state. According to the referral the enrolled recipient M.C. left Alaska
13 in February or March of 2020, but YANG had continued to bill for services through to
14 June 20, 2020. Neither SDS-QA nor McKinley services had been able to find either
15 YANG or M.C. in Alaska. QA's overpayment recovery estimate was \$16,750.80 for
16 billing between 02/02/2020 and 06/20/2020.

17 MFCU Investigator Don McLeod was assigned to this investigation. Inv.
18 McLeod found that YANG had been incarcerated at the Anchorage Jail between
19 12/13/2019 and 2/4/2020. Inv. McLeod learned through airlines records that M.C. had
20 departed Alaska and travelled to Minneapolis, MN on 1/12/2020. M.C.'s son picked her
21 up and drove her to their home in Wausau, WI to live there.

22 Investigator McLeod contacted the Wisconsin MFCU for a case assist.
23 Wisconsin MFCU had a local contact, Sgt. Chue Thao of the Appleton, WI police
24 department who is fluent in Hmong language. Sgt. Thao of the Appleton, WI police
25 department and Special Agent Ken Folkers of the Wisconsin MFCU interviewed M.C. on
26 April 21, 2021 M.C. in Wisconsin. The investigators showed time sheets for PCA
27 services that YANG had submitted to McKinley Services for payment through the
Medicaid Program between February 2 and June 20 of 2020. On those forms that YANG

1 had submitted there are entries for the recipient’s signature in support of the other details
2 about the course of treatment that is represented on each day’s time sheet. For example
3 “She has a left elbow pain” or “She feel sick today.” The time sheets were completed as
4 if M.C. had signed the forms as the recipient of the services. However, M.C. told Agent
5 Folkers that she did not sign the forms, the signatures were not hers and that she had
6 never seen those time sheets, and that she had been in Wisconsin on the dates those time
7 sheets had been signed.

8 On April 21, 2021 Sgt. Thao and Agent Folkers also interviewed YANG in
9 Wisconsin. YANG admitted to forging all of M.C.’s signatures on each of the time
10 sheets he submitted for payment for PCA services he never performed for M.C. He
11 further admitted that he knew M.C. was in Wisconsin at the time he billed for the
12 payments and that he did not provide those services for M.C. YANG admitted that he
13 knew what he was doing was wrong and against the law and stated that he had just been
14 released from jail in Alaska and needed money so he could have a place to live. YANG
15 requested to be able to write a statement which Agent Folkers allowed him to do.
16 YANG informed Agent Folkers “I wrong – I did wrong – I pay money back – (or) do
17 time in jail.” YANG stated that he missed a court date in Alaska in December 2019 and
18 was incarcerated from December 13, 2019 and was released on February 04, 2020. Yang
19 remained in Alaska for the next 9 months and lived on the street in a tent for the last 5
20 months. Subsequently YANG returned to Wisconsin as well.

21 Inv. McLeod examined the time sheets and the claims provided by Senior
22 Disability Services and calculated the total amount paid by Medicaid to be \$16,750.80.
23 Inv. McLeod confirmed this with the Medicaid Billing Portal showing that YANG had
24 billed the program for the full amount of Consumer-Directed Personal Care Services that
25 M.C. was authorized to receive between February 2, 2020 and June 20, 2020,
26 representing maximum billing for services that were never provided.
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BAIL INFORMATION

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Conv Court	Conv Date	Convicting Charge	Court Docket ID	POS	FEL	ATN
DAN	02/04/20	VCOR	3AN-19-12178CR	Y	N	117256995
DAN	02/04/20	MICS 5	3AN-19-07378CR	Y	N	116771067

Currently Mr. YANG is located in Wisconsin. The State asks this Court to issue a summons and the Alaska MFCU will coordinate with the Wisconsin MFCU to serve Mr. YANG. If this proves unsuccessful the State will take appropriate action.

Dated at Anchorage, Alaska, this 9th day of June, 2021.

TREG R. TAYLOR
ATTORNEY GENERAL

By: _____
Arne F. Soldwedel
Assistant Attorney General
Alaska Bar No. 0911078