

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

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 SARA ANN GILLEY,)
 aka: SARA STEPHENS,)
 aka: SARA FLEMINGS,)
 DOB: 1/9/1955)
 APSIN ID: 0358023)
 DMV NO. 0358023 AK)
 ATN: 107-504-613)
)
 Defendant.)
)
 _____)
 Case No. 3AN-12- 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 11.46.140(a)(1) Misd A
Theft In The Third Degree
Sara Ann Gilley - 001

Count II - AS 47.05.210(a)(1) Misd A
Medical Assistance Fraud
Sara Ann Gilley - 002

THE OFFICE OF SPECIAL PROSECUTION AND APPEALS CHARGES:

Count I

That on or about June 6, 2011 through June 14, 2011, at or near Anchorage in the Third Judicial District, State of Alaska, SARA ANN GILLEY committed the crime of theft and the value of the property or services was \$50 or more.

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 II

That on or about June 6, 2011 through June 14, 2011, at or near Anchorage in the Third Judicial District, State of Alaska, SARA ANN GILLEY, 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 A misdemeanor 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.

PC Statement

The Medicaid Fraud Control Unit (MFCU) received a complaint from Alaska Public Assistance Fraud Unit Investigator Dean Rogers alleging that Ebony Smith was receiving public assistance benefits simultaneously in California and Alaska. Analysis of claims filed for recipient Smith revealed that Sara Gilley was billing for personal care assistant (PCA) services provided to Smith by Gilley in Alaska during the time that Smith was actually in California.

PCAs are health care providers that the Alaska Medicaid Program pays to provide 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 needs and a PCA is then hired to provide those needs in the recipient's home. The PCA fills out a timesheet for the work done and submits that to a PCA agency who in

turn bills Medicaid. Medicaid pays \$21 an hour to the agency and the agency must pay the PCA at least half of that amount.

The Department of Health and Human Services evaluated Smith and determined that she qualified for 15.5 hours of PCA services per week for assistance with mobility, transferring from a bed or chair to a standing position, walking, dressing, taking medicine, bathing, toileting, etc.

Smith applied for funds from the Violent Crimes Compensation Board (VCCB) for relocating her family from Alaska to Arizona due to the fact that her daughter was the victim of a violent crime. The Board purchased airline tickets on February 7, 2011 for a flight from Anchorage, Alaska to Phoenix, Arizona on April 6, 2011 on Delta Airlines. Hotel receipts provided by VCCB and bank records show that Smith was in California from May 11, 2011 – June 16, 2011. Smith flew from California to Alaska on June 14, 2011, arriving in Alaska on June 15, 2011.

Gilley was working as a PCA through care agency Good Faith. During the time in question, she was providing services to numerous recipients of PCA services. A review of the timesheets submitted by Gilley show that she submitted timesheets for payment of PCA services provided by her to Smith for the time period of June 6, 2011 – June 14, 2011. The timesheets allege that she worked between 3-3.5 hours per day for a total bill to Medicaid for services not provided of \$479.02. Medicaid was in fact billed and paid \$479.02 for the services not provided. Gilley acknowledged knowing that Smith was in California, but claimed to not know what happened with the timesheets.

Dated at Anchorage, Alaska, this ____ day of November, 2012.

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
February 2013, at Anchorage, Alaska.

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