

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

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 DENNIS SIBAYAN BATAAC,)
 DOB: 12/15/1977)
 APSIN ID: 7058160)
 DMV NO. 7022777 AK)
 ATN: 107-504-811)
)
 Defendant.)

Case No. 3AN-13-

CR.

**INFORMATION ADDING MISDEMEANOR COUNT
TO INDICTMENT**

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:

AS 47.05.210(a)(5)
Medical Assistance Fraud
Dennis Sibayan Batac - 004

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

That on or about April 7, 2008 through April 25, 2008, at or near Anchorage in the Third Judicial District, State of Alaska, DENNIS SIBAYAN BATAAC, 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:

The undersigned swears under oath this Information is based upon a review of the Medicaid Fraud Control Unit's investigative report number SP08-07408 submitted to date. On October 29, 2009, Dennis Batac made a walk-in report to

Investigator Lowell Webb with the Medicaid Fraud Control Unit. Batac reported that his ex-wife, Lorie Batac, committed and may still be committing Medicaid fraud.

On August 30, 2012, Investigator Lance Anderson was assigned the Batac case for a follow-up investigation. In reviewing Medicaid related documents pertaining to Lorie Batac, Investigator Anderson discovered that Dennis Batac also provided Medicaid services in 2008 as a personal care attendant (PCA). 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 it to a PCA agency which turns the bill into Medicaid. Medicaid then pays approximately \$24 per hour to the agency and the agency must pay at least half that amount to the PCA. The typical PCA salary, however, is approximately \$16.50 per hour.

Investigator Anderson checked with Immigration and Customs Enforcement agent Stephanie Vetter and found that Wenceslao Nabong, the recipient of services being provided by Batac, traveled out of the United States from April 7, 2008 through April 25, 2008. A review of PCA timesheets submitted by Batac for this time period revealed that Batac was billing for services he allegedly provided to Nabong during this time period. Specifically, Batac submitted timesheets to the PCA agency stating that between April 7, 2008 and April 25, 2008, Batac assisted Nabong on a daily basis in walking, dressing, taking his medications, bathing, toileting and eating. Batac claimed to provide approximately three hours of PCA services each day during the time that Nabong was outside of the United States. The Alaska Medicaid program paid \$811.86 to the PCA agency for services Batac claimed to provide while the recipient was out of the country. Alaska law provides that a person commits the crime of medical assistance fraud if the person knowingly makes a false entry in or falsely alters a medical assistance record. See AS 47.05.210(a)(5).

Dated at Anchorage, Alaska, this ____ day of April, 2013.

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
April 2013, at Anchorage, Alaska.

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