

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

STATE OF ALASKA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 LORIE NABONG BATAAC, )  
 aka: LORIE MANIEGO NABONG, )  
 aka: LORIE N. BATAAC, )  
 DOB: 7/23/1976 )  
 APSIN ID: 6526805 )  
 DMV NO. 6526805 AK )  
 ATN: 107-504-856 )  
 )  
 Defendant. )  
 )  
 \_\_\_\_\_ )  
 Case No. 3AN-13- 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  
Lorie Nabong Batac - 001

Count II - AS 47.05.210(a)(5)  
Medical Assistance Fraud  
Lorie Nabong Batac - 002

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

**Count I**

That on or about October 2008 through January 2012, at or near Anchorage in the Third Judicial District, State of Alaska, LORIE NABONG BATAC, 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 B 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 on or about October 2008 through January 2012, at or near Anchorage in the Third Judicial District, State of Alaska, LORIE NABONG BATAC, 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 SP13-04609 submitted to date.

On October 29, 2009, Dennis Batac reported to the Medicaid Fraud Control Unit that his ex-wife, Lorie Batac, committed and may still be committing Medicaid fraud. Dennis Batac stated that Lorie Batac was claiming to provide personal care assistance to two Medicaid recipients while simultaneously working as a property appraiser for the Municipality of Anchorage and a cashier for Home Depot. Dennis Batac stated that their teenage son was actually providing care to the Medicaid recipients while Lorie Batac was working.

Medicaid billing records revealed that Lori Batac was working as a personal care attendant (PCA) and billing Medicaid for providing PCA services to two

different recipients through two different agencies. Lori Batac was working for PCA agency Consumer Care to provide PCA services to her father Wenceslao Nabong and PCA agency C Care to provide services to Nabong's wife Miguela Tubig.

PCAs are health care providers that the Alaska Medicaid program pays for providing home-based healthcare services to Medicaid recipients. The program is designed to allow Medicaid recipients to stay in their home rather than be placed in a nursing home type setting. PCAs fill out a timesheet for the work done and submit it to a PCA agency which in turn bills Medicaid for the services provided. Medicaid pays approximately \$24 per hour for the services provided and a typical PCA receives approximately \$16.50 per hour.

Department of Labor records indicated that Lori Batac worked full time for the Municipality of Anchorage and part time for Home Depot in addition to billing Medicaid for PCA services. Employment records from Home Depot revealed that Lori Batac worked two to four days per week approximately 4-4.5 hours per day from 6:00 p.m. to 10:00 p.m. or 10:30 p.m. from November 11, 2008 through March 24, 2010.

A review of timesheets submitted by Lorie Batac to PCA agencies C Care and Consumer care revealed that Lorie Batac often billed Medicaid for PCA services she claimed to be providing when she was in working at Home Depot or simultaneously billing for services provided to both recipients. Batac also occasionally triple billed for her time by billing both agencies for the same hours when she was working at Home Depot. Medicaid paid a total of \$49,309.54 for services that Lori Batac double billed and/or claimed to be providing while she was working for Home Depot. Alaska law provides that a person commits the crime of medical assistance fraud by knowingly submitting a claim to a medical assistance agency with a reckless disregard that the claimant is not entitled to the property, services or benefit. See AS 47.05.210(a)(1). Alaska law also provides that a person commits the crime of medical assistance fraud by knowingly making a false entry in or altering a medical assistance record. See AS 47.05.210(a)(5).

Immigration and Customs Enforcement Agent Stephanie Vetter provided Investigator Anderson with a report detailing out of country travel for Lorie Batac and the above identified recipients. A review of the records revealed that Lori Batac billed Medicaid for services she claimed to be providing when Wenceslao Nabong and Miguela Tubig were travelling outside of the United States. Tubig traveled from Anchorage, Alaska to Taipei, Taiwan on December 5, 2009 and did not return until December 30, 2009. Batac claimed on her timesheets that she was providing Tubig with mobility assistance, transferring her from her bed to a chair or wheelchair, dressing, meals, bathing and toileting. Batac even noted that Tubig was depressed by the death of a family member and that her sugar levels were ok. Lorie Batac billed Medicaid for 111.75 hours of PCA services during this time resulting in Medicaid paying \$2,489.79 for services not provided.

Lori Batac billed for services she claimed to be providing to Nabong on four occasions when her father was traveling outside of the United States. On December 10, 2011, Nabong traveled from Seattle to Korea and did not return until January 13, 2012. Batac claimed on the timesheets that she was providing Nabong with mobility assistance, walking, dressing, medications toileting, personal hygiene, shopping and meal prep. Batac specifically noted on the timesheets that Nabong was doing fine, his sugar was ok and on one day that his leg hurt. Lori Batac billed Medicaid for 188.17 hours of PCA services during this one trip resulting in Medicaid paying a total of \$4,192.42 for services not provided.

Nabong traveled outside of the United States on three other occasions: October 11, 2008 – November 4, 2008 from Seattle to Korea; April 11, 2009 – April 29, 2009 from Anchorage to Taipei; and May 25, 2009 – June 4, 2009 from Seattle to Korea. Lorie Batac submitted timesheets claiming she was providing PCA services to Nabong during all of these dates. Medicaid paid a total of \$10,724 for PCA services that Lorie Batac claimed to be providing to Nabong and Tubig while the recipients were actually traveling outside of the United States. The Alaska Medicaid program paid Lorie Batac a total of \$60,033.99 for PCA services Batac claimed to be providing when

Batac was either working another job or the recipient of the services was not in the United States.

Dated at Anchorage, Alaska, this \_\_\_\_ day of May, 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  
May 2013, at Anchorage, Alaska.

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