

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

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 JULIEN ANDRES MIRANDA,)
 DOB: 7/19/1991)
 APSIN ID: 7671908)
 DMV NO. 7414289 AK)
 ATN: 114-356-268)
)
 Defendant.)
)

Case No. 3AN-13- CR.
3AN-13-459 SW

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) Fel C
Medical Assistance Fraud
Julien Andres Miranda - 001

Count II - AS 11.56.610(a)(1), (2), or (3) Fel C
Tampering With Physical Evidence
Julien Andres Miranda - 002

Count III - AS 47.05.210(a)(5) Misd A
Medical Assistance Fraud
Julien Andres Miranda - 003

THE OFFICE OF SPECIAL PROSECTIONS AND APPEALS CHARGES:

Count I

That on or about August 2011 through December 2011, at or near Anchorage in the Third Judicial District, State of Alaska, JULIEN ANDRES MIRANDA, 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 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 on or about June 4, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, JULIEN ANDRES MIRANDA destroyed, mutilated, altered, suppressed, concealed, or removed physical evidence with intent to impair its verity or availability in an official proceeding or a criminal investigation.

All of which is a class C felony offense being contrary to and in violation of AS 11.56.610(a)(1), (2), or (3) and against the peace and dignity of the State of Alaska.

Count III

That on or about August 2011 through December 2011, at or near Anchorage in the Third Judicial District, State of Alaska, JULIEN ANDRES MIRANDA, 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 Statement:

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

The Program Integrity (PI) Unit of the Department of Health and Social Services (DHSS) referred an investigation to the Medicaid Fraud Control Unit (MFCU) involving personal care attendant (PCA) agency Good Faith Services, LLC. (Good Faith) and employees of Good Faith for suspected Medicaid fraud. During the course of the investigation, MFCU investigators began investigating Good Faith employee Elizabeth Miranda for suspected billing for Medicaid services while the Medicaid recipients were traveling outside of the United States while providing PCA services to her parents Rema and Santos Vallangca.

PCAs are licensed and registered health care providers that the Alaska Medicaid Program pays to provide home based healthcare 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 healthcare needs and a PCA is then hired by the recipient 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 that in turn bills Medicaid. Medicaid pays approximately \$24 an hour to the agency and the agency must pay the PCA at least half of that amount. The MFCU initiated a medical assistance fraud investigation based on the above allegations.

On May 21, 2013, MFCU investigators learned from Immigration and Customs Enforcement (ICE) Agent Timothy Brady that Rema and Santos Vallangca traveled outside of the United States from May 14, 2012 through June 25, 2012. Border crossing records further revealed that Elizabeth Miranda traveled outside of the United States from May 14, 2012 through July 27, 2012.

On May 23, 2012, MFCU received a letter from Attorney Chester Gilmore representing Good Faith. The letter contained a self-report from Elizabeth Miranda dated May 17, 2012 claiming that she billed for providing PCA services to her

parents Rema and Santos Vallangca from May 15, 2012 through June 25, 2012 while she and her parents were out of the country in the Philippines. Miranda provided new timesheets to the MFCU that were different from the original timesheets secured by the MFCU from Good Faith. Miranda claims on the new timesheets that she resumed providing care for Rema and Santos on June 26, 2012, but ICE border crossing records reflect that Miranda did not return to the United States until July 27, 2012. Miranda's Employment records with Spring Day Assisted Living Home and Lakeview Homes Assisted Living both indicate that Miranda did not return to work until July 28, 2012. Medicaid was billed a total of \$13,403.75 for services that were allegedly provided outside of the country in violation of Medicaid regulations and/or not provided at all due to PCA Miranda being outside of the country while her recipient parents were in Alaska.

The review of Elizabeth Miranda's PCA timesheets revealed that her son, Julien Miranda, was also employed at Keiki Homes, which is an assisted living home (ALH) and at PCA agency Good Faith providing PCA services for Rema and Santos Vallangca. On June 4, 2013, Investigator Stewart went to Keiki Homes ALH with a records request regarding Julien Miranda for employment records and medication logs from April 2011 through December 2011. Investigator Stewart was looking to compare the employee files and medication logs against Julien Miranda's PCA timesheets to see if Julia Miranda was billing Medicaid for providing PCA services while he was actually working at the ALH. Investigator Stewart spoke with administrator JR Pentecostes, who indicated that Stewart would need to direct her records request to the company attorney Chester Gilmore. On June 7, 2013, Chester Gilmore contacted the MFCU to report that the medication log requested from Keiki Homes ALH for the time period April 2011 through December 2011 had been recently altered by two Keiki Homes ALH employees.

Investigator Stewart took the recently altered medication logs and interviewed the employees identified by Gilmore. Employee Lorio Saligana stated that she called Julien Miranda after Investigator Stewart spoke with her on June 4, 2013 and

informed him that she had spoken with Investigator Stewart about his work schedule and medication logs. Saligana stated that Julien Miranda arrived at her house one night around 9 p.m. and asked to speak with her. Julien then went to his car and returned with the Keiki Homes ALH medication logs. Julien indicated to Saligana that Cesenciana Pastor had made changes to the logs and he showed her the changes. Julien then blamed Saligana for forgetting to place her initials on the medication logs and made her feel as though she needed to make the changes. Saligana admitted to starting to make the changes to the November 2011 medication logs, but then realized that she should stop. Julien asked her why she was stopping and Saligana said she needed to think about it. Saligana reported the incident to Good Faith the next day. Saligana confirmed that in August 2011 that Julien Miranda gave all the medication as she was just in training. Saligana also stated that Julien Miranda's work schedule was from 8 a.m. to 8 p.m. Thursday through Monday, but that Julien would leave by 5:00 as many as three days per week.

Investigator Stewart spoke with Cresencina Pastor on June 27, 2013 about the altered medication logs. Pastor informed Investigator Stewart that Julien Miranda called her about two weeks ago and told her that she forgot to complete the medication logs. Pastor stated that Julien showed up unexpectedly at her residence/employer House of God ALH with the medication logs. She stated that she was scared that she was in trouble. She stated that she reviewed the logs with Julien and made changes to the logs in blue ink by adding her initials CP for recipients Medeline Sharp, Patricia Roseberry, Julia Galila and Tanya Diley for April 2011 through July 2011. Cresencina also confirmed that Julien would often times leave early.

Investigator Stewart calculated the overpayment by Medicaid based upon the fact that Julien Miranda worked from 8 a.m. to 8 p.m. at least two days per week. The total overpayment by Medicaid from August 2011 through December 2011 totaled \$1,525.12 for time billed to Medicaid for PCA services while Julien Miranda was actually working at Keiki Homes ALH.

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

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