

1 IN THE DISTRICT COURT FOR THE STATE OF ALASKA  
2 THIRD JUDICIAL DISTRICT AT

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 DANILO ACUNA FAJARDO

8 DOB: 02/29/1956

9 APSIN ID: 7093392

DMV NO.: 7048121 AK

ATN: 113380128

10 Defendant.

11 No. (Danilo Acuna Fajardo)

12  
13 INFORMATION

14 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)  
15 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  
16 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:

17 Count I - AS 47.05.210(a)(2)  
18 Medical Assistance Fraud  
19 Danilo Acuna Fajardo - 001

20 Count II - AS 47.05.210(a)(5)  
21 Medical Assistance Fraud  
22 Danilo Acuna Fajardo - 002

23 THE ASSISTANT ATTORNEY GENERAL CHARGES:

24 COUNT I

25 That in the Third Judicial District, State of Alaska, on or between March 7, 2013  
26 and March 11, 2013, at or near Anchorage, DANILO ACUNA FAJARDO knowingly  
27 prepared or assisted another person to prepare a claim for submission to a medical

1 assistance agency for property, services, or a benefit with reckless disregard that the  
2 claimant is not entitled to the property, services or benefit.

3 All of which is a Felony class C offense being contrary to and in violation of  
4 47.05.210(a)(2) and against the peace and dignity of the State of Alaska.

5  
6 **COUNT II**

7 That in the Third Judicial District, State of Alaska, on or between March 7, 2011  
8 and March 11, 2011, at or near Anchorage, DANILO ACUNA FAJARDO knowingly  
9 made a false entry or falsely altered a medical assistance record.

10 All of which is a Misdemeanor class A offense being contrary to and in violation  
11 of 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

12 The undersigned swears under oath this Information is based upon a review of  
13 the report in MFCU case number 0242657 submitted to date and other information  
14 known to the undersigned regarding the Medicaid program:

15 The Medicaid Fraud Control Unit (MFCU) is conducting a joint State and  
16 Federal investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
17 associated with several companies enrolled in Medicaid as home based healthcare  
18 providers. The Alaska Medicaid Program is administered by the Alaska Department of  
19 Health and Social Services (DHSS). PCA's provide services to Medicaid recipients to  
20 allow them to remain in their homes rather than be placed in an assisted living facility.  
21 DHSS first evaluates recipients to determine their medical needs and authorizes  
22 recipients to hire a PCA to provide home health care services. Then, PCA's provide the  
23 services to recipients. Next, the PCA signs a timesheet for the work done and submits it  
24 to an agency, which, in turn, submits claims to DHSS. Finally, Medicaid pays  
25 approximately \$24 an hour to the agency and the agency must pay the PCA at least half  
26 of that amount.  
27

1 DHSS referred this case to MFCU on the grounds that PCA Danilo Fajardo had  
2 apparently submitted timesheets claiming to have provided Medicaid services to a  
3 recipient while Fajardo and/or the recipient was outside the United States. MFCU  
4 investigated and learned that other PCA's had provided services to the recipient while  
5 Fajardo or the recipient was traveling.

6 However, MFCU also discovered timesheets, signed by Fajardo, claiming that  
7 Fajardo provided Medicaid services to the recipient during the period of March 7-11,  
8 2013. MFCU acquired the recipient's hospital records showing that, contrary to the  
9 statements contained within the timesheets, the recipient was, in fact, admitted to the  
10 hospital during the period March 7-11, 2013. Because the recipient was hospitalized  
11 during the period March 7-11, 2013, it is not possible that Fajardo's timesheets are true.

12 On March 7, 2016, MFCU interviewed Jennifer Fajardo Edora, the Defendant's  
13 sister and the power-of-attorney who signed Fajardo's timesheets. Ms. Edora said that she  
14 relied on the Defendant and the recipient to truthfully complete the timesheets. Ms. Edora  
15 described the recipient as a "sick lady," but denied remembering the exact dates of her  
16 hospitalization.

17 MFCU estimates that the total loss to the Medicaid program due to Fajardo's  
18 fraudulent timesheets for the period of March 7-11, 2013, is \$846.55.

19 **BAIL INFORMATION**

20 The State is aware of no prior criminal convictions of the Defendant.

21 Dated at Anchorage, Alaska, this 24th day of March, 2016.

22 **CRAIG W. RICHARDS**  
23 **ATTORNEY GENERAL**

24 By: \_\_\_\_\_  
25 Jonas M. Walker  
26 Assistant Attorney General  
27 Alaska Bar No. 0712110

SUBSCRIBED AND SWORN TO before me this \_\_\_\_ day of  
March 2016, at Anchorage, Alaska.

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