

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

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6  
7 MIGUEL ANTONIO MARTINEZ-MATEO

8 DOB: 09/29/1985

9 APSIN ID: 7126052

DMV NO.: 7072974 AK

ATN: 0601871

10 Defendant.

11  
12 No. 3AN-16- CR. (Miguel Antonio Martinez-Mateo)

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  
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:

16 Count I - AS 47.05.210(a)(1)

17 Medical Assistance Fraud

18 Miguel Antonio Martinez-Mateo - 001

19 Count II - AS 47.05.210(a)(5)

20 Medical Assistance Fraud

21 Miguel Antonio Martinez-Mateo - 002

22 THE ASSISTANT ATTORNEY GENERAL CHARGES:

23 COUNT I

24 That in the Third Judicial District, State of Alaska, on or about February 2012 -  
25 April 2012, at or near Anchorage, MIGUEL ANTONIO MARTINEZ-MATEO  
26 knowingly submitted or authorized the submission of a claim to a medical assistance  
27 agency for property, services, or a benefit with reckless disregard that the claimant is not

1 entitled to the property, services, or benefit, and the value of the property was over  
2 \$500.00; to wit: by signing timesheets regarding Recipient #2 and Recipient #3, that  
3 Defendant knew to be false.

4 All of which is a Felony class C offense being contrary to and in violation of  
5 47.05.210(a)(1) and against the peace and dignity of the State of Alaska.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
COUNT II

That in the Third Judicial District, State of Alaska, on or about February 2012 -  
April 2012, at or near Anchorage, MIGUEL ANTONIO MARTINEZ-MATEO  
knowingly made a false entry in, or falsely altered, a medical assistance record; to wit:  
the timesheets regarding Recipient #1, Recipient #2, and Recipient #3.

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

The State specifically gives notice that it may recharge the Defendant's conduct  
as an independent count of AS 47.05.210(a)(5) for each false timesheet.

The undersigned swears under oath this Information is based upon a review of  
evidence and reports submitted to date:

The Medicaid Fraud Control Unit (MFCU) conducted a joint State and Federal  
investigation into fraudulent Medicaid billing by Personal Care Attendants (PCA)  
associated with several PCA agencies. PCAs are enrolled in Medicaid as home-based  
healthcare providers. The Alaska Medicaid Program pays PCAs to provide services of  
daily living to Medicaid recipients, which will allow Medicaid recipients to stay in their  
home rather than be placed into an assisted living home. Medicaid recipients are  
evaluated for medical needs by an employee of the Department of Health and Social  
Services (DHSS) and the recipient is then authorized to hire a PCA to provide home  
based healthcare services. The PCA fills out a timesheet for the work done and submits it  
to a PCA agency that, in turn, submits claims to Medicaid. Medicaid pays approximately  
\$24 an hour to the agency and the agency must pay the PCA at least half of that amount.

In the course of investigating another PCA (identified in this document as

1 “Informant”), the Informant told a MFCU investigator that she knew that the Defendant,  
2 Miguel Martinez-Mateo, had signed timesheets falsely claiming that he had provided  
3 PCA services to three Medicaid recipients, to be identified in this document as: Recipient  
4 #1, Recipient #2, and Recipient #3. Informant told MFCU that Defendant did what she  
5 told Defendant to do. Informant pled guilty to Medical Assistance Fraud in a separate  
6 case.

7 In the course of this investigation, MFCU Investigator Lance Anderson found a  
8 document titled “Medicaid Fraud Training,” signed by the Defendant, and dated February  
9 13, 2012, in which the Defendant acknowledged knowing what acts constitute fraud.  
10 Among the acts identified is “the misrepresentation of fact or omission of information  
11 with the intent to illegally obtain services, payment or other gain.”

12 Inv. Anderson identified timesheets, bearing the Defendant’s signature, asserting  
13 that the Defendant had provided PCA services to Recipient #1, Recipient #2, and  
14 Recipient #3. The timesheets bear the captions of two PCA agencies: Good Samaritan  
15 Care Services and C Care Services. As of today, MFCU’s understanding is that  
16 Recipients #1 and #2 are deceased.

17 The timesheets regarding Recipient #1 are dated February 26, 2012 – April 14,  
18 2012, and are captioned as being affiliated with the PCA agency known as C Care  
19 Services. Those timesheets bear a signature similar to the Defendant’s signature on the  
20 fraud training sheet.

21 On or about April 20, 2015, Inv. Anderson interviewed the Defendant. The  
22 Defendant admitted signing a timesheet regarding Recipient #1, and, further, admitted  
23 that he did not bathe Recipient #1. Therefore, because the timesheets regarding Recipient  
24 #1 falsely claim that the Defendant bathed Recipient #1, each timesheets constitutes the  
25 offense of Medical Assistance Fraud under AS 47.05.210(a)(5).

26 During the same interview, the Defendant admitted signing a timesheet  
27 regarding Recipient #2, captioned as being from Good Samaritan, dated February 11,  
2012. The Defendant claimed that “she would just tell me to sign” the timesheet and  
claimed to not understand them. The Defendant claimed that he believed another person,

1 other than himself, was the PCA for Recipient #2. He claimed to have seen Recipient #2  
2 “a couple times,” lying in bed.

3 Contrary to the Defendant’s protestation of innocence, however, Inv. Anderson  
4 discovered pay records indicating that the Defendant had received payment from both C  
5 Care Services and Good Samaritan.

6 During the same interview, Inv. Anderson showed the Defendant timesheets  
7 regarding Recipient #3, captioned as C Care timesheets. The Defendant admitted that the  
8 timesheets bore “my writing.”

9 On June 17, 2016, Recipient #3 told Inv. Anderson that Defendant had never  
10 provided any PCA services to herself or Recipient #2. Recipient #3 corroborated the  
11 Informant’s prior statement that the Informant, on one or a few occasions, had traveled  
12 with the Defendant to Recipient #2’s home, but that the Defendant had not provided PCA  
13 services. Recipient #3 was unable to state definitively whether she, personally, had  
14 signed the timesheets in question because she had given permission to her daughter to  
15 sign her name on her behalf.

16 Inv. Anderson estimates that the total loss to Medicaid resulting from the  
17 Defendant’s fraud regarding timesheets for Recipient #2 is \$3,869.20, and the loss  
18 regarding the fraudulent timesheets for Recipient #3 is \$3,322.96; for a total loss  
19 regarding those recipients of \$7,192.16. This loss calculation does not include the loss  
20 regarding the fraud regarding Recipient #1, which may be calculated separately.

#### 21 BAIL INFORMATION

| 22 CONV<br>COURT | CONV<br>DATE | CONVICITING<br>CHARGE              | COURT<br>DOCKET | POS<br>ID | FEL |
|------------------|--------------|------------------------------------|-----------------|-----------|-----|
| DAN              | 11/01/13     | VIOLATE CONDITION OF RELEASE FOR F | 3AN-13-11625    | N         | N   |
| DAN              | 11/01/13     | FALSE INFO/REPORT-AT ARREST/CIT/IN | 3AN-13-11625    | N         | N   |
| DAN              | 11/01/13     | LV SCENE OF ACCID - UNATTENDED VEH | 3AN-13-10801    | N         | N   |
| DAN              | 10/30/09     | FAIL TO CARRY PROOF OF VEHICLE INS | 3AN-09-8580     | Y         | N   |
| DAN              | 06/03/09     | FAIL TO CARRY PROOF OF VEHICLE INS | 3AN-09-5868     | Y         | N   |
| DAN              | 10/27/08     | FALSE INFORMATION - OUTSTANDING WA | 3AN-08-5225     | Y         | N   |
| DAN              | 07/26/06     | DRIVING WITH LIC REVOKED/SUSP/LTD  | 3AN-06-7395     | Y         | N   |
| DAN              | 06/10/04     | OPERATE VEHICLE W/O INSURANCE      | 3AN-04-929      | Y         | N   |

26 Dated at Anchorage, Alaska, this 28<sup>nd</sup> day of July, 2016.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

JAMES E. CANTOR  
ACTING ATTORNEY GENERAL

By: \_\_\_\_\_  
Jonas M. Walker  
Assistant Attorney General  
Alaska Bar No. 0712110