

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

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 ROMANO CALARA MENESES,)
 DOB: 11/18/1967)
 APSIN ID: 7057448)
 DMV NO. 7022166 AK)
 ATN: 114-356-196)
)
 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
Romano Calara Menezes - 001

Count II - AS 47.05.210(a)(5) Misd A
Medical Assistance Fraud
Romano Calara Menezes - 002

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

Count I

That on or about June 30, 2009 through April 14, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, ROMANO CALARA MENESES, 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 30, 2009 through April 14, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, ROMANO CALARA MENESES, 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 a personal care attendant (PCA) named Clarita Meneses. The PI unit report indicated that Clarita Meneses billed Medicaid for PCA services she claimed to be providing for Medicaid recipient Josefina Meneses when Josefina was in the Philippines. PI received the referral from PCA Agency C Care after Clarita Meneses transferred her recipients to Good Faith Services, LLC (Good Faith).

The investigation conducted by the MFCU confirmed that Romano Meneses served as a PCA for Medicaid recipient Josefina Meneses at both C Care and Good Faith. An audit of the Medicaid PCA claims submitted by Romano identified five instances in which Romano submitted timesheets to Medicaid for services allegedly provided to Josefina while traveling outside of the United States or on other unapproved travel for a total overpayment of \$18,425.61.

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 medical 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.

Investigator Webb requested travel records from Agent Stefanie Vetter with Immigration and Customs Enforcement (ICE) for Romano and Josefina Meneses. Border crossing records identified two instances of travel (6/30/09 through 7/29/09 and 4/23/12 through 5/22/12) in which Josefina flew overseas and traveled without PCA Romano. Romano, however, submitted timesheets indicating that he was providing PCA, transportation and respite services to Josefina during these time periods. Medicaid was billed a total of \$7,224.08 for services Romano claimed to provide while Josefina was traveling alone.

ICE records further revealed one instance of travel from 12/09/09 through 3/17/10 for Josefina. The Division of Senior and Disability Services, however, approved travel for both Josefina and Romano, but only for a 30 day period of time. ICE records revealed that Romano traveled with Josefina, but that Romano was only outside of the United States for 32 days while Josefina was traveling for 63 days. Medicaid was billed a total of \$4,701.08 for services Romano claimed to provide while Josefina was traveling alone.

ICE records also revealed that recipient Josefina left the United States on 12/26/12 while PCA Romano left four days later and both returned to the United States on 1/28/13. No request for travel authorization was submitted by Romano or Josefina. Moreover, in December 2011, DHSS sent out a notice that it would no longer be approving PCAs to travel outside of the country with Medicaid recipients due to a clarification by the Centers for Medicare and Medicaid Services that 42 CFR 431.52 prohibits Medicaid expenditures for services outside of the United States. Medicaid

was billed a total of \$6,346.95 for services Romano claimed to provide while Josefina while on unapproved travel outside of the United States.

Finally, DPS records revealed that Josefina and Romano traveled to Los Angeles, California on 4/12/13 and returned to Alaska on 4/14/13. Medicaid will pay for PCA services while traveling within the United States if the travel is pre-authorized. No authorization was given for this travel. Medicaid was billed a total of \$153.50 for services Romano claimed to provide while Josefina was traveling to California without prior authorization.

MFCU Investigator Lowell Webb interviewed Romano about billing for PCA services while Josefina was traveling. Romano confirmed that the signatures on the timesheets were in fact his and admitted to working as a PCA for Good Faith. Romano stated that he could not remember all the dates of travel, but claimed that he informed workers at Good Faith or C Care when he or his mother were going to be traveling. Romano stated that staff at both agencies told him that it was okay to travel as long as he was not going to be gone more than 30 days. Romano claimed the agencies knew he was not traveling with Josefina, but still accepted his timesheets. Medicaid was billed a total of \$18,425.61 for PCA services Romano claimed to provide while Josefina was traveling alone and/or on unauthorized travel.

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