



October 17, 2013

Ongoing Investigation into Medicaid Fraud Abuse Results in Additional Charges and Conviction

Anchorage Based Personal Care Attendant Charged for Fraudulently Billing Medicaid \$94,339 over 29 Months

On October 17, 2013, the Medicaid Fraud Control Unit (MFCU) in the Alaska Department of Law announced the filing of criminal charges against personal care attendant (PCA) Barbara J. Kanehailua, age 60. The charges filed against Kanehailua are the result of an ongoing state and federal investigation into medical assistance fraud by employees of Good Faith Services, LLC (Good Faith), PCAs and Medicaid recipients receiving services from Good Faith.

PCAs are licensed and registered healthcare providers that Medicaid pays to provide home-based care services for Medicaid recipients in the recipient's home as opposed to a nursing home type setting. Personal care agencies are paid approximately \$24 per hour for providing PCA services and federal law requires that the agency pay the PCA at least \$12 per hour.

According to the charging documents, the State's investigation revealed that Kanehailua worked as a PCA for up to seven different companies simultaneously and billed for providing services to nine different Medicaid recipients. In 2012, Kanehailua billed Medicaid for working in excess of 24 hours on 259 different days resulting in an overpayment by Medicaid of \$34,731. Kanehailua billed Medicaid for working 311 days in 2012 with an average of 29 hours per day. An audit of Kanehailua's timesheets from 2011-2013 revealed that 40% of her billing overlapped. In total, including the billing in excess of 24 hours in a day, Kanehailua's actions resulted in Medicaid paying \$94,339.44 for services not performed.

The information filed against each defendant is only a charging document and is not evidence of guilt. A defendant is presumed innocent and is entitled to a trial at which time the government must prove guilt beyond a reasonable doubt.

Medicaid Recipient Convicted for Scheme to Fraudulently Bill Medicaid

On October 17, 2013, 53 year old Elisaia Siluano of Anchorage was sentenced by the Anchorage District Court on a single count of committing Medical Assistance Fraud. Siluano was sentenced to 180 days of suspended jail, a fine of \$2,500, community work service of 80 hours which will convert to jail if not completed and informal probation for a period of five years. Siluano is prohibited from working as a personal care attendant for a period of five years and will be barred from billing Medicaid for a period of ten years following his discharge from probation. Siluano was also ordered to repay the State of Alaska \$11,834.90.

The case against Siluano was the result of an investigation conducted by the Medicaid Fraud Control Unit into Medicaid fraud associated with the personal care attendant agency Good Faith Services in Anchorage. The Medicaid Fraud Control Unit investigation revealed that Siluano was conspiring with his personal care attendant (PCA) to fraudulently bill Medicaid for services that were not being provided. Siluano admitted that he never received any PCA services and that he actually did not need any services. Rather Siluano and his PCA agreed to bill Medicaid for services that were not actually provided and then the two would split the proceeds.

The Medicaid Fraud Control Unit has filed criminal charges against 58 individuals for fraudulently providing and/or receiving PCA services in Alaska since October 2012. This includes approximately 35 cases associated with Good Faith investigation. The MFCU's prosecutions have resulted in 20 convictions with orders of restitution to be paid back to the State of Alaska for funds paid by Medicaid for fraudulently submitted bills.

The Alaska MFCU is part of the Alaska Attorney General's Office. The MFCU is responsible for investigating and prosecuting Medicaid fraud and abuse, neglect or financial exploitations of patients in any facility that accepts Medicaid funds. The information filed by the Department of Law can be found on the MFCU website at <http://www.law.alaska.gov/department/criminal/mfcu.html>.

Call 1-800-HHS-TIPS (1-800-447-8477) or 1-907-269-6279 to report Medicaid fraud or report online at <http://www.law.alaska.gov/pdf/criminal/MedicaidFraud.pdf>.

CONTACT: Assistant Attorney General Andrew Peterson at 907-269-6292. For more information about the recently charged cases or other cases handled by the Alaska MFCU, go to <http://www.law.alaska.gov/department/criminal/mfcu.html>.