

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

STATE OF ALASKA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 HYANG YEON GIM, )  
 DOB: 3/7/1950 )  
 APSIN ID: 7361176 )  
 DMV NO. 7249279 AK )  
 ATN: 114-356-394 )  
 )  
 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  
Hyang Yeon Gim - 001

Count II - AS 47.05.210(a)(5) Misd A  
Medical Assistance Fraud  
Hyang Yeon Gim - 002

THE OFFICE OF SPECIAL PROSECUTIONS AND CHARGES:

**Count I**

That on or about February 19, 2012 through March 10, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, HYANG YEON GIM, 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 December 25, 2011 through March 10, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, HYANG YEON GIM, 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) following a mortality review on Susan Choe, a Medicaid recipient who passed away on January 8, 2013. The review discovered that Susan Choe was found alone in her house with baby gates set up to barricade her inside the residence. Adult Protective Services workers observed unused medications indicating that she may not have been receiving the medications prescribed or the personal care assistance authorized. PI referred the case to MFCU for investigation. A review of Susan Choe's Medicaid file revealed that Hyang Gim also cared for the same recipients as Choe's PCA Tong Cunning and Choe's power of attorney Joshua Choe. A review of Gim's timesheets revealed that she had overlapping time in her bills to Medicaid resulting in Medicaid being billed a total of \$1,547.68 for PCA services that were not provided.

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 by HSS for their individual healthcare needs and a PCA is then hired by the recipient to provide the identified services to the recipient 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.

MFCU investigators reviewed Medicaid billing records and timesheets submitted by Gim to PCA agency Good Samaritan for services to Medicaid recipients Tae Park and Helen Park. In the timesheets submitted for February 19, 2012 through March 10, 2012, Gim indicated that she was providing care to Tae Park from 8 a.m. to 1 p.m. Gim also indicated that she was generally providing services to Helen Park from 10:00 a.m. to 2:30 p.m. This resulted in a three hour overlap each day.

Gim was interviewed on February 20, 2013 regarding her overlapping timesheets. Gim admitted that she did not take the recipients shopping and running errands as indicated on the timesheets as she does not drive. Gim, however, claimed that she was "teamworking" with her sister Tong Cunning and Joshua Choe and each would help each other to make sure everything was done. Gim admitted that she signed the overlapping timesheets, but stated that her sister completed her timesheets and turned them in for her.

Gim admitted that Helen Park, one of her recipients, was Joshua Choe's aunt. Gim stated that she would visit sometimes, but did not work for her. She also claimed to clean Helen Park's house for free. Later Gim changed her story and said she was paid to clean Helen Park's house. Gim also admitted to visiting Tae Park from time to time, but to not helping Tae Park bath or toilet as indicated in her timesheets. Gim submitted timesheets from December 25, 2011 through March 10, 2012 claiming to have been providing services to Helen Park and Tae Park that she never provided.

\\

\\

\\

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