

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

STATE OF ALASKA,)
)
 Plaintiff,)
)
 vs.)
)
 DOMINGO ANDRES CONTRERAS,)
 aka: DOMINGO A. CONTRERAS,)
 aka: DOMINGO CONTRERAS,)
 aka: TONY CONTRERAS,)
 DOB: 8/22/1954)
 APSIN ID: 5342851)
 DMV NO. 5342851 AK)
 ATN: 114-356-529)
)
 Defendant.)
)

Case No. 3AN-14- CR

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
Domingo Andres Contreras - 001

Count II - AS 47.05.210(a)(5) Mis A
Medical Assistance Fraud
Domingo Andres Contreras - 002

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEAL CHARGES:

Count I

That on or about May 1, 2013 through May 31, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, DOMINGO ANDRES CONTRERAS, 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 May 1, 2013 through May 31, 2013, at or near Anchorage in the Third Judicial District, State of Alaska, DOMINGO ANDRES CONTRERAS, 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.

On September 27, 2013, the Medicaid Fraud Control Unit (MFCU) received a complaint from James Drayton with the Department of Health and Social Services (DHSS) that Personal Care Attendant (PCA) Domingo Contreras was not providing PCA, chore and transportation services to Medicaid recipient M.R. as

indicated on timesheets submitted to PCA agency McKinley Services by Contreras to Medicaid.

PCAs are enrolled in the Alaska Medicaid Program as healthcare providers. Medicaid pays PCAs to provide services of daily living to Medicaid recipients. Service needs are determined by an employee of 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. The PCA agency that in turn bills Medicaid for the services allegedly provided.

Investigator Stewart reviewed timesheets submitted to McKinley Services by Contreras alleging to have provided PCA, chore and transportation services from May 7, 2013 through May 20, 2013 to Medicaid recipient M.R., Investigator Stewart then reviewed Immigration and Customs Enforcement records indicating that Contreras was outside of the United States during this period of time and that M.R. was inside the United States during the same period of time.

Contreras was interviewed by Investigator Stewart on October 17, 2013. Contreras stated that he left the country for a family emergency and did submit timesheets indicating he provided services for M.R. during his absence. Contreras stated that he informed Yesennia Vargas at McKinley Services about his trip and that Wilkens Almonte, Contreras', brother would be providing backup PCA services. Contreras alleged that Vargas approved of his brother working as the backup PCA.

Investigator Stewart interviewed Vargas who denied that Contreras informed her about his absence from the country. Vargas stated that McKinley Services

does have backup PCAs that are properly enrolled with Medicaid and legally allowed to provide services. Contreras' brother, however, is not an enrolled PCA and thus not legally allowed to bill Medicaid for any services. Vargas stated that McKinley Services would never allow someone who had not passed a background check and was not employed with McKinley Services to provide backup PCA services for a Medicaid recipient. Contreras billed Medicaid a total of \$1,754.56 for services he alleged to have provided M.R. from May 7-20, 2013, while he was actually travelling internationally.

James Drayton conducted additional investigation by reviewing security video from the Adelaide Apartments from May 1, 2013 through May 31, 2013. The security video documents both M.R. and Contreras entering and leaving the building and reveals that from May 1-6, 2013 and May 21-31, 2013 that Contreras provided only 22.75 hours of Medicaid services and 22 units of transportation services for M.R., but billed Medicaid for 78 hours of PCA services and 42 transportation units. Contreras billed Medicaid for \$1,546.94 for services that he never provided M.R. Contreras admitted during an in-person interview that he did not provide all of the services indicated on the timesheets submitted. In total, Contreras billed Medicaid \$3,301.50 for services that he never provided Medicaid recipient M.R.

Dated at Anchorage, Alaska, this ____ day of February, 2014.

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
March 2014, at Anchorage, Alaska.

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