

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

STATE OF ALASKA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 CLAUDE ANDERSON, JR., )  
 DOB: 5/8/1959 )  
 APSIN ID: 5150111 )  
 DMV NO. 5150111 AK )  
 ATN: 114-356-304 )  
 )  
 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  
Claude Anderson Jr. - 001

Count II - AS 47.05.210(a)(5) Misd A  
Medical Assistance Fraud  
Claude Anderson Jr. - 002

THE OFFICE OF SPECIAL PROSECUTIONS AND APPEALS CHARGES:

**Count I**

That on or about March 3, 2012 through April 7, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, CLAUDE ANDERSON, JR., 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 March 3, 2012 through April 7, 2012, at or near Anchorage in the Third Judicial District, State of Alaska, CLAUDE ANDERSON, JR., 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 Medicaid Fraud Control Unit (MFCU) received a fraud referral from the Department of Health and Social Services (DHSS) Program Integrity (PI) section involving a Medicaid recipient that allegedly received personal care attendant (PCA) services while incarcerated. PCAs are individuals employed by Medicaid recipients to provide services of daily living in the recipient's home. Medicaid regulations provide that PCA services are only to be provided to a recipient that is living in the recipient's personal residence.

The investigation revealed that PCA Claude Anderson submitted timesheets alleging that he provided PCA services to Medicaid recipient Vernell McLemore from March 3, 2012 through April 7, 2012. McLemore, however, was incarcerated from March 29, 2012 through April 6, 2012. Anderson signed timesheets and was paid for providing McLemore with 11.75 hours of assistance transferring, moving about his apartment, getting dressed, using the toilet, bathing, and preparing meals all while McLemore was actually incarcerated. The time of service claimed by Anderson for the remaining dates overlapped with hours that Anderson was actually working for the State of Alaska.

Anderson was shown two timesheets covering the time period March 23, 2012 through April 7, 2012. Anderson confirmed that the timesheets contained his signature as the PCA. Anderson stated that Good Faith Services, LLC told him to always put the same thing on the timesheet even if he did not provide the services listed. Anderson then claimed that the client was in charge of the timesheets and that the client filled out the timesheets and the power of attorney, Eva O'Neil, turned the timesheets in for him.

Anderson was shown a timesheet for McLemore for the week of March 25, 2012 indicating that services were provided at 9:00 a.m. Anderson stated that he was probably with McLemore as he had knee surgery and was not working for the State of Alaska then. Timesheets and a punched timecard, however, showed that Anderson was actually working for the State of Alaska at that time and overlapped with his PCA timesheet. Anderson then claimed that he did not always put down the actual hours worked, but did work the number of hours listed.

Anderson was then shown the dates of service for the time period that McLemore was in jail. Anderson claimed he told Good Faith that McLemore was in jail and only filled in timesheets up to the date of McLemore's arrest. Anderson stated that O'Neil, must have submitted the timesheets and he was not sure how the hours were added.

The timesheet for the period March 25, 2012 through March 31, 2012 was submitted to Good Faith on April 3, 2012 and was only signed by Anderson, not McLemore or O'Neil. Paystubs from Good Faith revealed that Anderson was paid for the PCA services billed on the timesheet. The timesheet for the period April 1, 2012 through April 7, 2012 was submitted on or about May 15, 2012. This timesheet was signed by both Anderson and O'Neil as the power of attorney and Anderson was again paid for the PCA services allegedly provided.

Anderson was then shown video surveillance from Hertz Car Rental dated April 7, 2012. The video shows Anderson walking unassisted up to the rental counter, taking keys for a vehicle and then later driving the vehicle off without assistance.

McLemore was subsequently charged with vehicle theft incase number 3AN-12-8134 CR. The date and time stamp on the video overlapps with the date and time Anderson claimed to be assisting McLemore with mobility, transferring, bathing, toileting and light meal preperation.

Anderson initially claimed he did not recognize McLemore, but finally admitted recognizing him. Anderson was then shown timesheets from Good Faith indicating that Anderson was providing PCA care to McLemore when McLemore was actually stealing a car from Hertz. Anderson could not explain how it was that McLemore needed help walking, bathing and toileting when he was able to steal a car without assistance. Anderson admitted to not actually being with McLemore at the time and to not providing the services that were on the timesheet. In total, Medicaid paid Anderson \$711.25 for services that were not provided to McLemore.

**Bail Information:**

CONV COURT	CONV DATE	CONVICING CHARGE	COURT DOCKET	POS FEL ID	ATN
DAN	11/18/13	OPERATE MOTOR VEHICLE W/O INSURANC	3AN-13-12135	Y N	113795352
DAN	06/22/09	FAIL TO CARRY PROOF OF VEHICLE INS	3AN-09-6056	Y N	112346343
DAN	03/14/91	MAKING A FALSE REPT	91-1266	Y N	
DAN	10/17/90	DRIV W/O LICENSE	M9006275	N	

Dated at Anchorage, Alaska, this \_\_\_\_ day of May, 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 May 2014, at Anchorage, Alaska.

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