

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

3 STATE OF ALASKA,

4 Plaintiff,

5 vs.

6
7 SOFIA PAULA GUINTU

8 DOB: 03/19/1967

9 APSIN ID: 7417125

DMV NO.: 7284749 AK

ATN: 114677523

10 Defendant.

11 No. (Sofia Paula Guintu)

12
13 INFORMATION

14 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)
15 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:

16 Count I - AS 47.05.210(a)(2)

17 Medical Assistance Fraud

18 Sofia Paula Guintu - 001

19 Count II - AS 47.05.210(a)(5)

20 Medical Assistance Fraud

21 Sofia Paula Guintu - 002

22 THE OFFICE OF SPECIAL PROSECUTION CHARGES:

23 COUNT I

24 That in the Third Judicial District, State of Alaska, on or between December 14,
25 2014 and February 6, 2016, at or near Anchorage, SOFIA PAULA GUINTU knowingly
26 prepared or assisted another person in preparing a claim for submission to a medical
27 assistance agency for property, services, or a benefit with reckless disregard the claimant
is not entitled to the property, services or benefit.

1 All of which is a Felony class B offense being contrary to and in violation of AS
2 47.05.210(a)(2) and against the peace and dignity of the State of Alaska.

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COUNT II

That in the Third Judicial District, State of Alaska, on or between December 14, 2014 and February 6, 2016, at or near Anchorage, SOFIA PAULA GUINTU knowingly made a false entry or falsely altered a medical assistance record.

All of which is a Misdemeanor class A 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.

The undersigned swears under oath this Information is based upon a review of reports and evidence submitted to date:

The Medicaid Fraud Control Unit (“MFCU”) investigates fraud committed against Medicaid, which is a federal and state-funded program, administered by the Alaska Department of Health and Social Services (DHSS), to provide health coverage to low-income and disabled people. The personal care assistant (“PCA”) program keeps recipients in their homes, rather than be placed in expensive nursing facilities. PCA’s use timesheets to keep track of the services they provide to recipients. PCA’s submit their timesheets to their employers, who are, themselves, enrolled Medicaid providers. To receive Medicaid money, the enrolled provider submits claims to DHSS based on the timesheets submitted by the PCA employee.

On or about February 14, 2016, ResCare, an enrolled provider, notified MFCU that it had discovered that a ResCare employee, Sofia Guintu, the Defendant, had used her position to submit fraudulent claims to Medicaid regarding PCA services rendered to her brother, whose initials are I.P.

MFCU investigators interviewed witnesses and collected evidence. Among the evidence collected was a handwritten confession that Ms. Guintu gave to ResCare on February 23, 2016, admitting that she “forged” the signature of her son, Alexander Fale and collected money from his bank account. Ms. Guintu wrote: “I admitted committed fraud to myself and put in time with no timesheet.”

1 A ResCare manager told Mr. Boone that ResCare began an internal investigation
2 following DHSS' denial of many claims regarding recipient I.P. A ResCare manager
3 asked Ms. Guintu to produce the timesheets that she relied upon to submit the claims. Ms.
4 Guintu admitted that she did have them, that she had submitted fraudulent claims, and
5 that she was sorry. Later, Ms. Guintu made verbal statements to MFCU investigators
6 corroborating her earlier confession to ResCare personnel.

7 The MFCU investigation focused on two types of fraudulent claims: "double-
8 billed" claims that Ms. Guintu submitted in December 2014 – August 2016, and
9 "recipient-declined" claims that Ms. Guintu submitted in August 2015 – February 2016.

10 First, to submit double-billed claims, Ms. Guintu forged signatures on various
11 documents to make it appear as though her son (Alex Fale) and another man (Chacko
12 Paulo) had completed all necessary training to become PCA's. Ms. Guintu later admitted
13 that she forged the signatures. Next, Ms. Guintu accessed ResCare's computer system to
14 increase the number of hours in I.P.'s "service authorization," i.e., the quantity of time
15 that ResCare allotted its PCA's to perform for I.P. Finally, Ms. Guintu submitted claims
16 to Medicaid resulting in ResCare paying both Alex Fale and Chacko Paulo, despite her
17 being aware that only one set of services was being provided by either man to I.P. In fact,
18 because Ms. Guintu knew that neither Alex Fale, nor Chacko Paulo, were actually
19 enrolled PCA's, Ms. Guintu recklessly disregarded that ResCare was not entitled to
20 payment by Medicaid for any of the claims.

21 Second, regarding the submit no-work-provided claims, I.P. told ResCare that he
22 did not intend to receive Medicaid services from ResCare after August 9, 2015. Given
23 this notification, no agent of ResCare should have submitted claims to Medicaid for PCA
24 services after that date. However, Ms. Guintu submitted claims to Medicaid claiming that
25 ResCare did provide PCA services to I.P. during the period of August 9, 2015 – February
26 6, 2016.

27 ResCare provided MFCU with a spreadsheet calculating the value of fraudulent
claims and the loss to Medicaid. Also, on April 27, 2016, Allison Lee of ResCare
explained the spreadsheet to MFCU personnel. According to Ms. Lee, the following

1 represents ResCare's current understanding of the scope of the offenses and damages for
2 the period December 14, 2014 – February 6, 2016:

Total value of all claims that Ms. Guintu submitted to Medicaid for PCA services for I.P.	Of the total value (at left), the portion of the claims that were fraudulent	Of the fraudulent claims (at left) the amount actually paid by Medicaid to ResCare due to Ms. Guintu's fraud
\$57,925.60	\$35,380.00	\$16,701.80

7 Ms. Lee said that ResCare was actively working with DHSS to repay the
8 \$16,701.80, which is considered an "overpayment" (*i.e.* funds that Medicaid paid to an
9 enrolled provider that are beyond the payment to which the provider was entitled).

10 MFCU asked ResCare to calculate the damage that ResCare suffered as a result
11 of Ms. Guintu's fraud; that amount will be subject to restitution even if ResCare
12 completely repays Medicaid the full amount of overpayment.

13 **BAIL INFORMATION**

14 Per a search of APSIN/NCIC, the State is unaware of any prior criminal
15 convictions of the Defendant.

16 Dated at Anchorage, Alaska, this 28th day of April, 2016.

17 **CRAIG W. RICHARDS**
18 **ATTORNEY GENERAL**

19 By: _____
20 Jonas M. Walker
21 Assistant Attorney General
22 Alaska Bar No. 0712110

23 SUBSCRIBED AND SWORN TO before me this ____ day of
24 April 2016, at Anchorage, Alaska.

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