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

STATE OF ALASKA,

Plaintiff,

vs.

ROBERTO SUYAT RAGUINDIN

DOB: 05/02/1972

APSIN ID: 6677755

DMV NO.: 6677755 AK

ATN: 115745328

Defendant.

No. 3AN-17-_____ CR (Roberto Suyat Raguindin)

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)
Medical Assistance Fraud
Roberto Suyat Raguindin - 001

Count II - AS 47.05.210(a)(1)
Medical Assistance Fraud
Roberto Suyat Raguindin - 002

Count III - AS 47.05.210(a)(5)
Medical Assistance Fraud
Roberto Suyat Raguindin - 003

Count IV - AS 47.05.210(a)(5)
Medical Assistance Fraud
Roberto Suyat Raguindin - 004

1 THE OFFICE OF THE ATTORNEY GENERAL CHARGES:

2 COUNT I

3 That in the Third Judicial District, State of Alaska, on or about Nov. 2010 to Jan.
4 2011, at or near Anchorage, ROBERTO SUYAT RAGUINDIN, knowingly submitted or
5 authorized the submission of a claim to a medical assistance agency for property,
6 services, or a benefit with reckless disregard that the claimant is not entitled to the
7 property, services, or benefit, in an amount between \$500-\$25,000.
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9 All of which is a Felony class C offense being contrary to and in violation of
10 47.05.210(a)(1) and 47.05.210(b)(2) and against the peace and dignity of the State of
11 Alaska.
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14 COUNT II

15 That in the Third Judicial District, State of Alaska, on or about Nov. 2012 to
16 Dec. 2012, at or near Anchorage, ROBERTO SUYAT RAGUINDIN, knowingly
17 submitted or authorized the submission of a claim to a medical assistance agency for
18 property, services, or a benefit with reckless disregard that the claimant is not entitled to
19 the property, services, or benefit, in an amount between \$500-\$25,000.
20

21 All of which is a Felony class C offense being contrary to and in violation of
22 47.05.210(a)(1) and 47.05.210(b)(2) and against the peace and dignity of the State of
23 Alaska.
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COUNT III

That in the Third Judicial District, State of Alaska, on or about Nov. 29th, 2010 to Jan. 21st, 2011, at or near Anchorage, ROBERTO SUYAT RAGUINDIN, 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 47.05.210(a)(5) and against the peace and dignity of the State of Alaska.

COUNT IV

That in the Third Judicial District, State of Alaska, on or about Nov. 18th, 2012 to Dec. 27th, 2012, at or near Anchorage, ROBERTO SUYAT RAGUINDIN, 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 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 police report 0665486 submitted to date.

Further information:

This case arose from a tip received by the Medicaid Fraud Control Unit (MFCU) from an audit of random adult public assistance recipients conducted by Department of Health and Social Services with cooperation from Immigration and Customs

1 Enforcement. The fraud was uncovered on Feb. 21st, 2017 as a result of DHSS auditing
2 MR.

3 Personal Care Assistants, or PCAs, are enrolled in Medicaid as home-based
4 healthcare providers. The Alaska Medicaid Program pays PCA agencies to provide
5 services of daily living to Medicaid recipients, which will allow Medicaid recipients to
6 stay in their home rather than be placed in an assisted living home type setting. Medicaid
7 recipients are evaluated for medical needs by an employee of the Department of Health
8 and Social Services. The DHSS evaluator decides on an appropriate number of hours for
9 the recipient to receive home healthcare based on the recipient's needs. The Medicaid
10 recipient is then authorized to hire a PCA through a PCA agency to provide those home
11 based healthcare services. The PCA fills out a timesheet for the work done over the
12 course of specific day or week and both the PCA and the recipient (or guardian) signs the
13 timesheet. The PCA then submits the timesheet to a PCA agency. The PCA agency in
14 turn bills Medicaid. Medicaid pays approximately \$24 an hour to the agency and the
15 agency must pay the PCA at least half of that amount.
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19 One type of Medicaid fraud investigated by MFCU is known as "travel billing."
20 An offender commits travel billing fraud by submitting timesheets claiming to have
21 provided PCA services that cannot possibly have been provided because the provider or
22 the recipient, or both, are traveling outside the United States at the time of the purported
23 service. Prior to December 23, 2011, Alaska Medicaid could authorize payment for PCA
24 services while travelling internationally if the travel was pre-approved. On December 23,
25 2011, the Department of Health sent out a notice to all Medicaid providers that federal
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1 law prohibits Medicaid expenditures for services outside the United States. Under no
2 circumstances may a recipient travel outside of the United States of America and still
3 receive Medicaid-funded services. See 7 AAC 125.050, and 18 U.S.C. § 1396a(80).

4 MR has been approved by DHSS to receive PCA services from at least Jan. 1st
5 2010 to April 2017, during which time Medicaid has paid over \$200,000 in various
6 Medicaid services for her care. DHSS has authorized an amount of hours averaging 3 or
7 4 hours per day for her care under Medicaid billing code T1019. A substantial
8 percentage of those Medicaid services were for PCA care administered by her son,
9 Roberto Raguindin, via the PCA care agency Arctic Care Services, LLC. Roberto
10 Raguindin began working as a PCA for his mother MR through Arctic Care Services on
11 October 18th, 2010. Through the course of his application process, Mr. Raguindin signed
12 a statement indicating the following: “The following are expected of you to report to the
13 agency within 24 hours or earlier if possible. It is the PCA and/or the client’s
14 responsibility to report the following incidences: ... When client is going out of state.”

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18 MR traveled outside of the United States from Nov. 29th, 2010 to Jan. 21st, 2011,
19 traveling via Taipei on China Air. MR also traveled outside the United States from Nov.
20 18th, 2012 to Dec. 27th, 2012, traveling via Incheon on Korean Air. During each of those
21 trips, her PCA Roberto Raguindin submitted time sheets reflecting that he provided MR’s
22 care either 3 or 4 hours per day during the days when MR was out of the country.
23 Roberto Raguindin was then paid by Arctic Care, and Arctic Care was in turn paid by
24 Medicaid for Raguindin’s fraudulent billing. The total loss to Medicaid for the time
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1 periods between Nov. 29th 2010 – Jan 21st, 2011 and from Nov. 18th, 2012 – Dec. 27th,
2 2012 was \$8,683.87.

3 Neither MR nor Roberto Raguindin submitted a travel request for the Nov. 29th,
4 2010 to Jan. 21st, 2011 time period, nor was travel billing authorized by DHSS for that
5 time period. As previously explained, travel billing could not have been authorized for
6 the latter time period. ICE confirmed MR's travel out of the country on those dates, and
7 ICE also confirmed that Roberto Raguindin did not travel out of the country on those
8 dates.

9
10 MFCU Investigator Kandi Stewart conducted an interview with MR and Roberto
11 Raguindin. Mr. Raguindin stated that MR traveled out of the country approximately
12 every two years, typically with another family member, and that he did not accompany
13 her when she traveled. Mr. Raguindin stated that he turned the fraudulent time sheets in
14 without the knowledge of MR or MR's medical power of attorney. Mr. Raguindin
15 acknowledged that he did not do the work reflected on the time sheets. He further
16 acknowledged that he should not have gotten paid for work he did not do, but stated that
17 he needed the money. Mr. Raguindin expressed that he wanted to pay the money back.

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19 ICE further confirmed that MR traveled outside of the country on similar dates in
20 Nov. and Dec. 2014 and 2016. During those two trips, Mr. Raguindin submitted a travel
21 authorization form to DHSS via Arctic Care. DHSS, consistent with the law banning out-
22 of-country billing, denied the travel authorization requests and did not allow Mr.
23 Raguindin to receive Medicaid payment for services provided during MR's out-of-
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1 country travel. Despite filing the travel billing request, Mr. Raguindin did not travel out
2 of country for those trips.

3 Roberto Raguindin violated AS § 47.05.210(a)(1) by submitting false Medicaid
4 claim forms for the periods of Nov. 29th 2010 – Jan 21st, 2011 and from Nov. 18th, 2012 –
5 Dec. 27th, 2012 with reckless disregard that he was not entitled to the property, services
6 or benefit he was claiming. Each offense date range totaled greater than \$500 but less
7 than \$25,000 in fraud. During each of those offense date ranges, Raguindin also violated
8 AS § 47.05.210(1)(5) by knowingly making several false entries in medical assistance
9 records.
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13 **BAIL INFORMATION**

14 The defendant has no criminal history in Alaska. The State is requesting a
15 summons issue for the defendant.
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17
18 Dated at Anchorage, Alaska, this ____ day of June, 2017.

19
20 **JAHNA LINDEMUTH**
ATTORNEY GENERAL

21
22 By: _____
23 Eric Senta
24 Assistant Attorney General
25 Alaska Bar No. 1011091
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