



OFFICE OF THE ATTORNEY GENERAL

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FOR IMMEDIATE RELEASE
Date: May 14, 2012

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NEVADA ATTORNEY GENERAL MASTO ANNOUNCES LAS VEGAS PERSONAL CARE ASSISTANT SENTENCED FOR FALSE REPORTING OF MEDICAID SERVICES

Las Vegas, NV – Nevada Attorney General Catherine Cortez Masto announced today that Osbel Rodriguez, 40, of Las Vegas, was sentenced for falsely reporting personal care services.

Rodriguez provided services as a Personal Care Assistant (PCA) through four agencies, including Addus Healthcare, Alternate Home Series, New Sunset Personal Care, and Las Vegas Healthcare, that contract with Medicaid to provide personal care services to people in their homes.

Rodriguez, who was sentenced today by Clark County District Court Judge Lee Gates, pled guilty to a gross misdemeanor offense of intentional failure to maintain adequate record. Gates ordered Rodriguez to 180 days jail, suspended, and ordered to repay \$11,794 in restitution, penalties and costs in the Medicaid fraud case.

“Fraud against Medicaid by providers of health care services will be aggressively investigated and punished,” said Masto. “Prosecution of these crimes ensures the integrity of Medicaid and returns money for use by those in actual need of services.”

In November, 2009, the Attorney General’s Medicaid Fraud Control Unit (MFCU) received information that Rodriguez had claimed he provided services to clients who were not actually receiving all of the claimed services.

Further investigation by the MFCU revealed that Rodriguez was concurrently employed as a PCA by four PCA agencies and claimed to have simultaneously provided services to multiple clients in different locations. Rodriguez provided this information to the agencies for which he worked and received payment as if he had performed the services.

The Medicaid PCA program enables people to live independently in their own homes by providing personal assistance with basic services, including bathing, dressing, cleaning and meal preparation. Medicaid contracts with home care companies that in turn employ individuals to provide the actual day-to-day care.

Persons convicted of Medicaid fraud may also be administratively excluded from future Medicaid participation.

The case was investigated and prosecuted by the Nevada Attorney General's Medicaid Fraud Control Unit (MFCU), which investigates and prosecutes financial fraud by those providing healthcare services or goods to Medicaid patients. MFCU also investigates and prosecutes instances of elder abuse or neglect. Anyone wishing to report suspicions regarding any of these concerns may contact the MFCU at 775-684-1191.

The case was prosecuted by Matthew Jensen, Senior Deputy Attorney General.

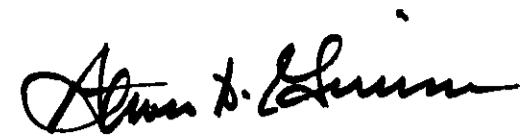
Read the criminal information by visiting: <http://bit.ly/ORodriguez>.



RODRIGUEZ, OSBEL

(Photo courtesy of Las Vegas Metropolitan Police Department)

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CLERK OF THE COURT

INFO

1 CATHERINE CORTEZ MASTO
Attorney General
2 MATTHEW L. JENSEN
Sr. Deputy Attorney General
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Bureau of Criminal Justice
4 100 N. Carson St.
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Attorneys for Plaintiff STATE OF NEVADA
7 (I.A. 05/02/2012, 9:00 A.M.)

DISTRICT COURT

CLARK COUNTY, NEVADA

10	STATE OF NEVADA,)	Case No.: C-12-280902-1
11	Plaintiff,)	
12	v.)	Dept. No.: 10
13	OSBEL RODRIGUEZ,)	
14	Defendant.)	

INFORMATION

17 The State of Nevada by and through legal counsel, CATHERINE CORTEZ MASTO,
18 Nevada Attorney General, and Matthew L. Jensen, Senior Deputy Attorney General, hereby
19 informs the Court and states that OSBEL RODRIGUEZ, the above-named defendant, has
20 committed the criminal offense of: Intentional Failure to Maintain Adequate Records, a gross
21 misdemeanor, one (1) count, in violation of NRS 422.570(1), in Clark County, State of Nevada
22 as follows:

COUNT 1
INTENTIONAL FAILURE TO MAINTAIN ADEQUATE RECORDS
NRS 422.570(1)
Gross Misdemeanor

26 Defendant Rodriguez, upon causing claims to be submitted or payment received
27 pursuant to the Nevada State Medicaid plan, did intentionally fail to maintain such records as
28 are necessary to disclose fully the nature of the goods or services for which the claims were

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1 submitted or payment was received for at least 5 years after the date on which payment was
2 received. The actions occurred as part of Defendant's routine business practices/scheme or
3 continuous course of conduct, to wit:

4 On or about March 2008 through on or about April 2010, Defendant was employed
5 as a personal care assistant ("PCA") at various times by four different PCA agencies, Addus
6 Healthcare, Alternate Home Services, New Sunset Personal Care and Las Vegas Healthcare.
7 While so employed, Defendant was assigned Medicaid recipients through the respective PCA
8 agencies as patients/clients for Defendant to provide home care services. While so employed
9 by the four PCA agencies, Defendant did knowingly fail to maintain accurate documentation,
10 including time and attendance documents concerning the home care actually provided to his
11 assigned Medicaid recipients. Defendant knew these records were used as a basis for claims
12 submitted by the four PCA agencies for reimbursement from Medicaid. The four PCA
13 agencies subsequently received payment for such claimed services. Defendant intentionally
14 failed to maintain accurate records that are necessary to fully disclose the nature of the
15 service for those claims. Many of Defendant's records did not note accurate or true dates,
16 times or length of services provided.

17 All of which was committed in the County of Clark, and constitutes a gross
18 misdemeanor violation of NRS 422.570(1).

19 All of which is contrary to form, force and effect of the statutes in such cases made and
20 provided and against the peace and dignity of the State of Nevada.

21 DATED this 26th day of April, 2012.

22 CATHERINE CORTEZ MASTO
23 Attorney General

24 By: 
25 Matthew L. Jensen
26 Sr. Deputy Attorney General
27
28

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Attorney General's Office and that on this 26th day of April, 2012, I served a copy of the CRIMINAL INFORMATION, by placing a copy of said document in the U.S. mail, postage prepaid, and addressed to:

Conor M. Slife, Esq.
Clark County Public Defender
309 S. 3rd Street, #226
Las Vegas, NV 89155


An Employee of the Office of the Attorney General

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