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8 **IN THE FIRST JUDICIAL DISTRICT COURT OF NEVADA**
9 **IN AND FOR CARSON CITY**

10 STATE OF NEVADA,)
11 Plaintiff,) Case No.: 14CR 00220 1B
12 v.) Dept. No.: 1
13 ERIK BADGETT,)
14 Defendant.)

15 **CRIMINAL INFORMATION**

16 The State of Nevada, by and through legal counsel, CATHERINE CORTEZ MASTO,
17 Nevada Attorney General, and MATTHEW L. JENSEN, Senior Deputy Attorney General,
18 hereby informs the court that ERIK BADGETT, the above named defendant, has committed
19 the criminal offenses of SUBMITTING FALSE MEDICAID CLAIMS, a category D felony
20 violation of NRS 422.540(1)(a) and NRS 422.540(2)(a), one (1) count; and THEFT, a
21 category B felony violation of NRS 205.0832(1)(c) and NRS 205.0835(4), one (1) count,
22 within Carson City, State of Nevada, as follows:

23 SIS Solutions, LLC d/b/a Family Guidance and Wellness Network ("FGWN"), Red
24 Rock Guidance and Wellness Center, LLC ("Red Rock") and Serenity Mental Health, LLC
25 ("Serenity") each separately maintained an agreement with Medicaid to be providers of
26 mental health services to Medicaid recipients. At times pertinent to these allegations, FGWN
27 and Red Rock together maintained an office location at 701 S. Carson Street, Suite 200,
28 Carson City, Nevada, and Serenity operated from the FGWN/Red Rock office location at 701

1 S. Carson Street, Suite 200, Carson City, Nevada, and then maintained an office location at
2 116 E. 7th Street, Suite 3, Carson City, Nevada. Defendant operated, supervised the staff of
3 and provided mental health services through the Carson City business operations of each of
4 the businesses.

5 From on or about September 2011 through August 2013, FGWN, Red Rock and
6 Serenity, collectively, submitted several claims to Medicaid for reimbursement under the
7 Medicaid numbers of several Medicaid recipients. Through these claims, FGWN, Red Rock
8 and Serenity represented that each of them had provided certain mental health services to
9 these Medicaid recipients and had provided these services for certain amounts of time.
10 Medicaid recipients under whose identities FGWN, Red Rock and Serenity submitted claims
11 are exemplified by recipients K.B. (Medicaid No. 47-----010), D.B. (Medicaid No. 56-----010),
12 A.G. (Medicaid No. 00-----483), C.G.I. (Medicaid No. 00-----482), J. L. (Medicaid No. 00-----
13 184), P.O. (Medicaid No. 00-----200), Z.O. (Medicaid No. 00-----202), R.T. (Medicaid No. 00-
14 -----414), B.H. (Medicaid No. 31-----011), K.R. (Medicaid No. 47-----001), D.W. (Medicaid No.
15 00-----203), L.E. (Medicaid No. 47-----011), B.L. (Medicaid No. 00-----188), N.P. (Medicaid
16 No. 00-----536), D.S. (Medicaid No. 00-----369), C.Go. (Medicaid No. 00-----374), I.M.
17 (Medicaid No. 00-----525), T.M. (Medicaid No. 00-----524), S.S. (Medicaid No. 00-----373),
18 C.W. (Medicaid No. 00-----728), L.W. (Medicaid No. 00-----735), S.W. (Medicaid No. 00-----
19 731), R.B. (Medicaid No. 00-----372), C.K. (Medicaid No. 00-----582), A.H. (Medicaid No. 00-
20 -----555) and/or J. W. (Medicaid No. 00-----204) (collectively, the "Medicaid Recipients").

21 **COUNT 1**
22 **SUBMISSION OF FALSE MEDICAID CLAIMS**
23 **NRS 422.540 (1)(a) and NRS 422.540 (2)(a)**
24 **Felony, Category D**

25 Defendant, through a scheme or continuing course of conduct, with intent to defraud,
26 intentionally made claims or caused claims to be made for payment from Medicaid that
27 Defendant knew were false, to wit:

28 Defendant supervised and directed subordinate staff of FGWN, Red Rock and/or
Serenity to create documentation asserting that certain services or durations or quantities of

1 services were provided to the Medicaid Recipients by subordinate staff, and Defendant knew
2 that such services were not actually provided. Defendant used the false documentation to
3 make claims or cause claims for reimbursement to be generated by FGWN, Red Rock and/or
4 Serenity for payment by Medicaid. Instead, the Medicaid Recipients did not receive the
5 particular services or durations or quantities of services from FGWN, Red Rock and/or
6 Serenity that FGWN, Red Rock and/or Serenity claimed were delivered to the Medicaid
7 Recipients.

8 All of which was committed in Carson City, aggregating to an amount in excess of
9 \$650.

10 **COUNT 2**
11 **THEFT**
12 **NRS 205.0832(1)(c) and 205.0835(4)**
13 **Felony, Category B**

14 Defendant, through a scheme or continuous course of conduct, without lawful
15 authority, knowingly obtained property of another person by a material misrepresentation with
16 the intent to deprive the person of the property, to wit:

17 Defendant knowingly submitted claims or caused claims to be submitted for services
18 allegedly provided to the Medicaid Recipients. Defendant caused the creation of
19 documentation asserting that certain services or durations or quantities of services were
20 provided to the Medicaid Recipients by him, and Defendant knew that such services were not
21 actually provided. Defendant used the false documentation to make claims or cause claims
22 for reimbursement to be generated by FGWN, Red Rock and/or Serenity. Contrary to the
23 claims, the Medicaid Recipients did not receive the particular services or durations or
24 quantities of services from FGWN, Red Rock and/or Serenity that the businesses claimed
25 were delivered to the Medicaid Recipients. Defendant obtained payment from Medicaid to
26 FGWN, Red Rock and/or Serenity by these material misrepresentations.

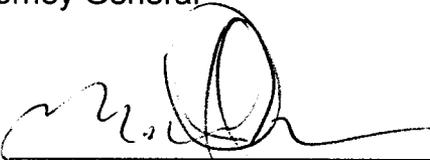
27 All of which was committed in Carson City, with Defendant obtaining payment through
28 communication of these material misrepresentations to Medicaid in excess of \$3,500.

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1 All of which is contrary to the form, force and effect of the statutes in such cases made
2 and provided, and against the peace and dignity of the State of Nevada. Furthermore,
3 complainant makes this declaration subject to the penalty of perjury.

4 Dated this 5th day of November, 2014.

5 CATHERINE CORTEZ MASTO
6 Attorney General

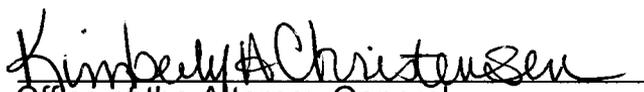
7
8 By: 

9 MATTHEW L. JENSEN
10 Sr. Deputy Attorney General
11 Medicaid Fraud Control Unit
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1 CERTIFICATE OF SERVICE

2 I hereby certify that I am an employee of the State of Nevada Office of the Attorney
3 General and that on the 5th day of November 2014, I served the foregoing
4 CRIMINAL INFORMATION by serving a copy via U.S. Mail and/or facsimile as follows:

5 Marcie Ryba, Esq.
6 Nevada State Public Defender's Office
7 511 E. Robinson, #1
8 Carson City, NV 89703
9 Fax: (775) 687-4993

10 
11 Office of the Attorney General

12 Office of the Attorney General
13 100 North Carson Street
14 Carson City, Nevada 89701-4717

HP LaserJet Professional M1217nfw MFP

Fax Confirmation

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CATHERINE CORTEZ MASTO
Attorney General

KEITH G. MANNING
Assistant Attorney General
THOMAS J. CLARK
Acting Director

FAX TRANSMITTAL MEMORANDUM

TO: Marcie Ryba, Esq. NV State Public Defender's Office

DATE: 11/05/2014

FAX #: (775) 687-4993

TIME FAXED: 9:20 AM

FROM: Matthew L. Jensen Sr. Deputy Attorney General

PHONE: (775) 684-1185

SUBJECT: Criminal Information, 14 CR 002201B: Erik Badgett

REMARKS: Please confirm receipt of fax _____

This fax consists of 6 pages, including this cover sheet.

If you have any difficulties with this transmission, please telephone the number above.
Thank you.