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Jacqueline Bryant
Clerk of the Court
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7 **IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA IN AND FOR THE
8 COUNTY OF WASHOE**

9

10 STATE OF NEVADA,   Case No.: CR15-1434

11   Plaintiff,   Dept. No.: 10

12   v.

13 KEVIN JESUS CUMMINGS,

14   Defendant.

15

16   **CRIMINAL INFORMATION**

17   The State of Nevada, by and through legal counsel, ADAM PAUL LAXALT, Nevada

18 Attorney General, and MARK J. KRUEGER, Senior Deputy Attorney General, in the name

19 and by the authority of the State of Nevada, informs the court that KEVIN JESUS

20 CUMMINGS, the above named Defendant, has committed the criminal offenses of

21 **SUBMITTING FALSE CLAIMS: MEDICAID FRAUD**, a category D felony violation of NRS

22 422.540(1)(a) and NRS 422.540(2)(a) (Count 1); and **THEFT**, a category C felony violation of

23 NRS 205.0832(1)(c) and NRS 205.0835(3) (Count 2); within Washoe County, State of

24 Nevada, in the manner following:

25   Nova Behavioral Services, LLC ("Nova") maintained an agreement with Medicaid to be

26 a provider of mental health services to Medicaid recipients. At all times relevant to these

27 allegations, Nova maintained an office location at 4860 Vista Blvd., Suite 200, Sparks,

28 Nevada. Defendant was Nova's owner and administrator.

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From on or about January 2013 through May 2014, Nova submitted several claims to Medicaid for reimbursement under the Medicaid number of several Medicaid recipients. Through these claims, Nova represented that it had provided certain mental health services these recipients.

COUNT 1
SUBMITTING FALE MEDICAID CLAIMS
NRS 422.540 (1)(a) and NRS 422.540 (2)(a)
Felony, Category D

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

Defendant knowingly made or caused fraudulent claims for reimbursement to be generated and submitted for payment by Medicaid. The claims to Medicaid asserted that certain services were provided to the Medicaid recipients and requested reimbursement for such provisions of services. Instead, the Medicaid recipients did not receive the particular services from Nova that Nova claimed were delivered to the Medicaid recipients. All of which acts aggregated to an amount in excess of $650.00.

COUNT 2
THEFT
NRS 205.0832(1)(c) and 205.0835(3)
Felony, Category C

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

Defendant knowingly submitted or caused to be submitted claims for services allegedly provided to Medicaid recipients. The claims to Medicaid asserted that certain services were provided to the Medicaid recipients and requested reimbursement for such provisions of services. Instead, the Medicaid recipients did not receive the particular services from Nova that Nova claimed were delivered to the Medicaid recipients. Defendant obtained payment

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through communication of these material misrepresentations to Medicaid in excess of 650.00 but less than $3,500.00.

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

Dated this 29th day of September, 2015.

ADAM PAUL LAXALT
Attorney General

By: _____
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