



# OFFICE OF THE ATTORNEY GENERAL

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Catherine Cortez Masto, *Attorney General*

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**FOR IMMEDIATE RELEASE**  
**Date: April 10, 2012**

**Contact: Jennifer Lopez**  
**702-486-3782**

## **NEVADA ATTORNEY GENERAL ANNOUNCES SENTENCE FOR MEDICAID FRAUD OF SENIOR GROUP HOME**

**Las Vegas, NV** – Nevada Attorney General Catherine Cortez Masto announced today that Janice Burch, 42, the owner and administrator of Skyview II, a Las Vegas residential facility group home, has been sentenced for three gross misdemeanor offenses for neglect of duty in willful disregard of safety of persons.

“The health and security of our older citizens obliges us to prosecute those who willfully mismanage their welfare,” said Masto. “Pursuit of these cases promotes safe and secure living environments for our vulnerable citizens who depend on the care of others.”

Skyview Group Home II is a residential facility that housed elderly and disabled persons.

The Las Vegas Metropolitan Police Department (LVMPD) responded to a caregiver’s complaints that she had been instructed, by Burch, to forge daily medication documentation, as if the residents were appropriately receiving their medications when in fact they had not.

The case was further investigated by Abuse/Neglect personnel of LVMPD, the Aging and Disabilities Service Division, the Bureau of Health Care Quality and Compliance and the Attorney General’s Medicaid Fraud Control Unit (MFCU). Their investigation further revealed faulty operational documentation and inadequate toileting facilities. The Skyview residents were removed from the home and transferred to other facilities.

In conjunction with receiving credit for time served, Burch was also required to perform 120 hours of community service and pay a \$1,000 fine. Burch is further prohibited from ownership, employment or having any connection with medical facilities, group homes or provision of personal care services.

Clark County District Court Judge Jerome Tao sentenced Burch on April 10. The case was prosecuted by Matthew L. Jensen, Senior Deputy Attorney General.

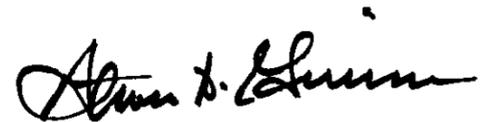
Read the criminal information by visiting: <http://bit.ly/BurchCriminalInformation>.

The Nevada Attorney General's MFCU investigates and prosecutes instances of elder abuse or neglect. The unit also investigates and prosecutes financial fraud by those providing healthcare services or goods to Medicaid patients. Anyone wishing to report suspicions regarding any of these concerns may contact the MFCU at 775-684-1191.



*BURCH, JANICE V*

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CLERK OF THE COURT

1 **AINF**  
2 CATHERINE CORTEZ MASTO  
3 Attorney General  
4 MATTHEW L. JENSEN  
5 Sr. Deputy Attorney General  
6 Nevada Bar No. 6357  
7 Bureau of Criminal Justice  
8 100 N. Carson St.  
9 Carson City, Nevada 89701  
10 P: (775) 684-1185  
11 F: (775) 684-1192  
12 mliensen@ag.nv.gov  
13 Attorneys for Plaintiff STATE OF NEVADA

8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

10 STATE OF NEVADA, )  
11 Plaintiff, ) Case No.: C-11-275343-1  
12 v. ) Dept. No.: 20  
13 JANICE VIOLA BURCH, )  
14 Defendant. )

15  
16 **SECOND AMENDED CRIMINAL INFORMATION**

17 The State of Nevada by and through legal counsel, CATHERINE CORTEZ MASTO,  
18 Nevada Attorney General, and Matthew L. Jensen, Sr. Deputy Attorney General, hereby  
19 informs the Court and states that JANICE VIOLA BURCH, the above-named defendant, has  
20 committed the criminal offense of: Performance of Act or Neglect of Duty in Willful or Wanton  
21 Disregard of Safety of Persons or Property, a gross misdemeanor, three (3) counts, in  
22 violation of NRS 202.595(1), in Clark County, State of Nevada as follows:

23 **COUNT 1**  
24 **PERFORMANCE OF ACT OR NEGLIGENCE OF DUTY IN WILLFUL OR WANTON**  
25 **DISREGARD OF SAFETY OF PERSONS OR PROPERTY**  
26 **NRS 202.595(1)**  
27 **Gross Misdemeanor**

28 Defendant Burch did then and there perform an act and/or neglect a duty imposed by law in  
willful or wanton disregard of the safety of persons or property in the following manner:

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555 E. Washington, Suite 3900  
Las Vegas, NV 89101

1 On or about December 16, 2008, defendant, while serving as the licensed  
2 administrator of Skyview II, a residential facility for groups located at 3820 Golf Lane, Las  
3 Vegas, Nevada, did fail to follow duties imposed on her as a licensed administrator.  
4 Defendant failed to provide oversight and direction for staff members to ensure adequate  
5 services and supervision of residents C.D. (60 years of age or older) and M.V. (60 years of  
6 age or older) and failed to ensure that the facility was in compliance with applicable  
7 regulations. Defendant's failures were exemplified by defendant: failing to ensure that facility,  
8 resident and staff records were complete and accurate; failing to ensure that medication  
9 records were maintained and that medications were properly administered; failing to ensure  
10 that the facility was properly certified to care for the residents of the facility; failing to maintain  
11 required toileting facilities and/or failing to maintain required temperature levels in the facility.

12 **COUNT 2**  
13 **PERFORMANCE OF ACT OR NEGLIGENCE OF DUTY IN WILLFUL OR WANTON**  
14 **DISREGARD OF SAFETY OF PERSONS OR PROPERTY**  
15 **NRS 202.595(1)**  
16 **Gross Misdemeanor**

17 Defendant Burch did then and there perform an act and/or neglect a duty imposed by law in  
18 willful or wanton disregard of the safety of persons or property in the following manner:

19 On or about December 16, 2008, defendant, while serving as the licensed  
20 administrator of Skyview II, a residential facility for groups located at 3820 Golf Lane, Las  
21 Vegas, Nevada, did fail to follow duties imposed on her as a licensed administrator.  
22 Defendant failed to provide oversight and direction for staff members to ensure adequate  
23 services and supervision of residents R.G. (60 years of age or older) and C.M. (60 years of  
24 age or older) and failed to ensure that the facility was in compliance with applicable  
25 regulations. Defendant's failures were exemplified by defendant: failing to ensure that facility,  
26 resident and staff records were complete and accurate; failing to ensure that medication  
27 records were maintained and that medications were properly administered; failing to ensure  
28 that the facility was properly certified to care for the residents of the facility; failing to maintain  
required toileting facilities and/or failing to maintain required temperature levels in the facility.

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1 COUNT 3  
2 PERFORMANCE OF ACT OR NEGLIGENCE OF DUTY IN WILLFUL OR WANTON  
3 DISREGARD OF SAFETY OF PERSONS OR PROPERTY  
4 NRS 202.595(1)  
5 Gross Misdemeanor

6 Defendant Burch did then and there perform an act and/or neglect a duty imposed by law in  
7 willful or wanton disregard of the safety of persons or property in the following manner:

8 On or about December 16, 2008, defendant, while serving as the licensed  
9 administrator of Skyview II, a residential facility for groups located at 3820 Golf Lane, Las  
10 Vegas, Nevada, did fail to follow duties imposed on her as a licensed administrator.  
11 Defendant failed to provide oversight and direction for staff members to ensure adequate  
12 services and supervision of residents C.S. (60 years of age or older) and I.P. (60 years of age  
13 or older) and failed to ensure that the facility was in compliance with applicable regulations.  
14 Defendant's failures were exemplified by defendant: failing to ensure that facility, resident and  
15 staff records were complete and accurate; failing to ensure that medication records were  
16 maintained and that medications were properly administered; failing to ensure that the facility  
17 was properly certified to care for the residents of the facility; failing to maintain required  
18 toileting facilities and/or failing to maintain required temperature levels in the facility.

19 All of which was committed in the County of Clark, State of Nevada, and constitutes a  
20 Gross Misdemeanor in violation of NRS 202.595(1).

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

23 DATED this 14<sup>th</sup> day of March, 2012.

24 CATHERINE CORTEZ MASTO  
25 Attorney General

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

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of the Attorney General's Office and that on this 14<sup>th</sup> day of March, 2012, I served a copy of the 2<sup>nd</sup> AMENDED CRIMINAL INFORMATION, by placing a copy of said document in the U.S. mail, postage prepaid, and addressed to:

Scott Eichhorn, Esq.  
Eichhorn and Hoo, LLC  
1212 S. Casino Center Blvd.  
Las Vegas, NV 89104

  
An Employee of the Office of the Attorney General

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