



OFFICE OF THE ATTORNEY GENERAL

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FOR IMMEDIATE RELEASE

DATE: August 27, 2012

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ATTORNEY GENERAL MASTO ANNOUNCES HOME HEALTHCARE WORKER SENTENCED FOR MEDICAID FRAUD

Carson City, NV – Nevada Attorney General Catherine Cortez Masto announced that home healthcare worker Felicia Wesley, 41, of Las Vegas, was sentenced on August 22 for Medicaid Fraud. Wesley pled guilty to two misdemeanor offenses, submission of false claims and petty theft.

“Fraudulent activities involving providers of Medicaid services will not go unpunished,” said Masto. “Prosecution of these types of cases sends a message to the health care community that they will be held responsible for their actions plus we will do what is necessary to get money back into the Medicaid system for recipients that need services.”

Justice of the Peace William Jansen sentenced Wesley to 60 days in jail, suspended, payment of \$4,000 in restitution and costs, plus the conviction will be processed for purposes of excluding Wesley from being a healthcare provider for government backed programs.

The investigation began in 2011 after Nevada Medicaid provided the Attorney General’s office information that personal care aid services were not being provided to a Medicaid recipient. Medicaid has a personal care aid program to keep people living independently in their own homes by providing basic services, including bathing, dressing, house cleaning and meal preparation. Medicaid contracts with home care companies that in turn employ individuals to provide the actual day-to-day care. The investigation developed information that Wesley was not at a patient’s home for the time periods she claimed to be providing services.

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. The 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 or 702-486-3187.

The case was prosecuted by Mark Kemberling, Chief Deputy Attorney General of the Medicaid Fraud Control Unit.

Read the criminal complaint by visiting <http://bit.ly/Wesleycomplaint> .



WESLEY, FELICIA KATHLEEN
(Photos courtesy of Las Vegas Metropolitan Police Department)

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FILED

IN THE JUSTICE COURT, LAS VEGAS TOWNSHIP

MAR 23 2011 CLARK COUNTY, NEVADA

STATE OF NEVADA,

JUSTICE COURT
LAS VEGAS NEVADA

Case No.: 12F04527X

Plaintiff, BY IR DEPUTY

Dept. No.: 5

v.

FELICIA KATHLEEN WESLEY,
ID No. 1027967,

CRIMINAL COMPLAINT

Defendant.

The State of Nevada, by and through legal counsel, CATHERINE CORTEZ MASTO, Nevada Attorney General, and MARK KEMBERLING, Chief Deputy Attorney General, under penalty of perjury, and within his knowledge, information and belief, complains and charges FELICIA KATHLEEN WESLEY , an individual and responsible person, pursuant to NRS 422.530, at the times stated herein, with having committed the offenses of: SUBMITTING FALSE CLAIMS, a category D felony violation of NRS 422.540(1)(a) and NRS 422.540(2)(a), one (1) count; THEFT, a category C felony violation of NRS 205.0832(1)(c) and NRS 205.0835(3), one (1) count; and FAILURE TO MAINTAIN ADEQUATE RECORDS, a gross misdemeanor violation of NRS 422.570(1), one (1) count. Said offenses were committed in regard to the State of Nevada, Department of Health & Human Services, Health Care Financing and Policy Division – Nevada Medicaid (“Medicaid”) in the following manner in the County of Clark, State of Nevada, as follows:

COUNT ONE
SUBMITTING FALSE CLAIMS
NRS 422.540(1)(a) and NRS 422.540(2)(a)
Felony, Category D

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

On or about August 22, 2010 through October 30, 2010, defendant was employed as a personal care aide (PCA) by Su Casa Personal Care/Addus Healthcare (“Addus”), located at 2140 West Charleston Boulevard, Suites A & B, Las Vegas, Nevada. Addus assigned

1 defendant to provide home care services to PM (Medicaid Recipient No. xxx119...). While so
2 employed, defendant did knowingly create/write fictitious documentation, including signatures
3 and time and attendance documents concerning the home care claimed to be provided to
4 PM. Defendant intentionally provided the fraudulent documentation to Addus knowing it would
5 be used to generate false bills/claims submitted for reimbursement from Medicaid.

6 All of which was committed in the County of Clark, aggregating an amount in excess of
7 \$650.00, and constitutes a category D felony in violation of NRS 422.540(1)(a) and (2)(a).

8 **COUNT TWO**
9 **THEFT**
10 **NRS 205.0832(1)(c) and NRS 205.0835(3)**
11 **Felony, Category C**

12 Defendant did, without lawful authority and through a scheme or continuous course of
13 conduct, knowingly obtain personal property of another by a material misrepresentation with
14 the intent to deprive the person of the property, to wit:

15 On or about August 22, 2010 through October 30, 2010, defendant was employed as a
16 personal care aide (PCA) by Su Casa Personal Care/Addus Healthcare ("Addus"), located at
17 2140 West Charleston Boulevard, Suites A & B, Las Vegas, Nevada. Addus assigned
18 defendant to provide home care services to PM (Medicaid Recipient No. xxx119...). While so
19 employed, defendant did knowingly create/write fictitious documentation, including signatures
20 and time and attendance documents concerning the home care purported to be provided.
21 Defendant intentionally provided the fraudulent documentation to Addus knowing it would be
22 used to generate a paycheck/salary. The documentation was false as many of defendant's
23 records did not note the true signature of PM, nor true dates and times of purported services.

24 Addus provided and defendant received payment/salary by defendant's communication
25 of these material misrepresentations aggregating in excess of \$650.00.

26 All of which was committed in the County of Clark, and constitutes a category C felony
27 violation of NRS 205.0832(1)(c) and 205.0835(3).

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1 Said Complainant therefore requests that an Arrest Warrant be issued for Defendant
2 FELICIA KATHLEEN WESLEY in order that defendant may be dealt with according to the
3 laws of the State of Nevada. Said Complainant makes this declaration subject to the penalty
4 of perjury.

5 Dated this 21 day of March, 2012.

6 CATHERINE CORTEZ MASTO

7 Attorney General

8 By: 

9 MARK KEMBERLING

10 Chief Deputy Attorney General – NV Bar #5388

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