

STATE OF INDIANA ) IN THE LAPORTE SUPERIOR COURT  
COUNTY OF LAPORTE ) SS:  
CAUSE NUMBER:

STATE OF INDIANA INFORMATION FOR:

V.  
TRACI LINDFORS  
DOB: 08/14/1972

COUNT 1:  
**Obtaining a Controlled Substance by Fraud**  
I.C. 35-48-4-14(c)  
A Level 6 Felony

COUNT 2:  
**Furnishing False or Fraudulent Information**  
I.C. 35-48-4-14(b)(3)  
A Level 6 Felony

COUNT 3:  
**Failure to Make, Keep, or Furnish a Record**  
I.C. 35-48-4-14(a)(3)  
A Level 6 Felony

**Count 1:**

The undersigned states that on or between July 2, 2022 and July 22, 2022 in Laporte County, State of Indiana, Traci Lindfors did knowingly or intentionally acquire possession of a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact All of which is contrary to the form of the statutes in such cases made and provided by I.C. 35-48-4-14(c) and against the peace and dignity of the State of Indiana.

**Count 2:**

The undersigned states that on or between July 2, 2022 and July 22, 2022 in Laporte County, State of Indiana, Traci Lindfors did knowingly or intentionally furnish false or fraudulent material information in or omit material information from a report or other document required to be kept or filed under I.C. 35-48 as to the documentation of the dispensing or administration of a controlled substance contrary to the form of the statutes in such cases made and provided by I.C. 35-48-4-14(b)(3) and against the peace and dignity of the State of Indiana.

**Count 3:**

The undersigned states that on or between July 2, 2022 and July 22, 2022 in Laporte County, State of Indiana, Traci Lindfors did recklessly, knowingly or intentionally fail to make, keep, or furnish a record or information required under I.C. 35-48 as to the documentation of the dispensing, administration, or destruction of a controlled substance contrary to the form of the statutes in such cases made and provided by I.C. 35-48-4-14(a)(3) and against the peace and dignity of the State of Indiana

I swear, under the penalty for perjury as specified by I.C. 35-44.1-2-1 that the foregoing is true to the best of my information and belief.

/s/ Grainne L. Kao  
Grainne Kao, 34660-49  
Deputy Attorney General  
Indiana Office of the Attorney General  
Medicaid Fraud Control Unit

**Witnesses:**

Justin White, MFCU

Terri Phillips, ED Life Care Center of Michigan City

Diana Gorecki, Director of Human Resources Life Care Center of Michigan City

Chris Birdsong, DON Life Care Center of Michigan City

Joann Wingard, ADON Life Care Center of Michigan City

Keeper of the Records, Life Care Center of Michigan City

Keeper of the Records, Omnicare of South Bend

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF LAPORTE    )

**IN THE LAPORTE SUPERIOR COURT**

**CAUSE NO:**

STATE OF INDIANA       )  
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VS.                               )  
                                  )  
TRACI COLLEEN LINDFORS    )  
DOB: 08-14-1972

**AFFIDAVIT FOR PROBABLE CAUSE**

I, Justin White, Drug Diversion Investigator for the Office of the Indiana Attorney General, Medicaid Fraud Control Unit, have probable cause to believe that Traci Colleen Lindfors, in the County of LaPorte, State of Indiana, did commit the following crimes:

I.C. 35-48-4-14(c) Obtaining a Controlled Substance by Fraud, a Level 6 Felony  
I.C. 35-48-4-14(b)(3) Furnishing False or Fraudulent Information, a Level 6 Felony  
I.C. 35-48-4-14 (a)(3) Failure to Make, Keep, or Furnish a Record, a Level 6 Felony

- 1) I participated in the investigation of the criminal offenses described in this affidavit. The statements contained in this affidavit are founded, in part, on information provided to me through conversations or written statements and information from employees of Life Care Center of Michigan City and medical records related to this investigation. I believe these witnesses to be truthful and credible.
- 2) Because this affidavit is being submitted for the purposes of filing criminal charges, I have not included all facts that have been revealed during the course of this investigation. I have set forth only the facts that are believed to be necessary to establish the required foundation for probable cause.
- 3) Traci Collen Lindfors (Lindfors) was born on August 14, 1972. She is a Licensed Practical Nurse (LPN), License Number 27049062A, and was licensed in the State of Indiana on or about January 29, 2001. As a Licensed Practical Nurse, she is a “licensed health professional”, as defined by Indiana Code 25-23-1-27.1. She was employed by Life Care Center of Michigan City (Life Care) from 10/11/2021 to 8/09/2022.
- 4) Life Care is located at 802 US-20, Michigan City, IN 46360. Life Care and their in-house pharmacy, Omnicare, is registered with the Indiana State Board of Pharmacy to dispense controlled substances. Under both state (I.C. 35-48-3-3 (e)(1)) and federal law (21 C.F.R. 1301.22), Lindfors is exempted from registering separately with the state or federal government to handle controlled substances due to being an authorized employee of a registered party, to wit: Life Care Center of Michigan City, as long as she is acting in the usual course of his employment.
- 5) Life Care and its employees or agents, acting in the usual course of their employment, are required to maintain complete and accurate records under both Indiana and Federal laws pertaining to the dispensation of all controlled substances. Specifically, Indiana Code (I.C) 35-48-3-7 mandates that records be kept in conformance with the record-keeping requirements of federal law and regulation and with any additional rules the Indiana State Board of Pharmacy issues including 856 IAC 1-28.1-12. Title 21 United States Code (U.S.C.) 827(a)(3) and Title 21 Code of Federal Regulations (C.F.R.) 1304.22 (21 C.F.R. §1304.22) require a complete and accurate record be maintained for the dispensing or administration of a controlled substance to a patient, including:
  - a. Number of units or volume of drug dispensed
  - b. Name and address of the person to whom it was dispensed
  - c. Date of dispensing
  - d. Number of units or volume dispensed

- e. Written or typewritten name or initials of the individual who dispensed or administered the substance

In addition, Federal Regulation 21 C.F.R. § 1317.95(d) mandates any controlled substance that is removed for dispensing, but not actually given to the patient must be witnessed by another staff member and may be destroyed. If destroyed, then a drug destruction record must be made.

- 6) Life Care Center of Michigan City utilizes Omnicare of South Bend to provide pharmacy services to their extended care facility. Life Care Center of Michigan City receives regular deliveries of medication including controlled substances from Omnicare in the form of daily deliveries from the pharmacy. Life Care Center of Michigan City utilizes a "med cart" to store and dispense medications to patients within their facility. Nurses are assigned to the cart for their shift. The oncoming nurse counts the controlled substances on the cart with the nurse they are relieving at the beginning/end of the shift. Once the controlled substance have been counted together, the oncoming nurse takes control of the cart and is the only one with a key to access the cart until that nurse counts with the nurse set to relieve them. Assigned nurses remove medications from the med carts per a physician order and dispense them to patients. Nurses remove medication from the med cart with the key. When the drugs are removed from the med cart and dispensed to a patient, the nurse completes a Medication Administration Record (MAR) in the patient's chart and documents the date, time, and quantity of the drug remaining in the Controlled Substance Record/Report (CSR).
- 7) At Life Care Center of Michigan City, the Medication Administration Report (MAR) is completed electronically and is known as the EMAR. A MAR is the report that serves as a legal record of the drugs administered to a patient by a health care professional. The Controlled Substance Record (CSR) is a record of controlled substances dispensed. The MAR and the CSR are a part of a patients' permanent record in their medical chart. The health care professional is required to document in the MAR and the CSR each time that medication is administered. Any controlled substance that is removed from the Omnicare for dispensing, but not actually given to the patient must be witnessed by another staff member and must be destroyed. The staff member would then fill out a corresponding drug destruction record.
- 8) On 7/21/2022, the Assistant Director of Nursing (ADON), JoAnn Wingard (Wingard), noticed narcotic sheets for C.R. [REDACTED] (C.R. [REDACTED]) and T.V. [REDACTED] (T.V. [REDACTED]) that had signatures on several days that only Lindfors dispensed.
- 9) Resident T.V. [REDACTED] was receiving Hydrocodone 7.5-325mg (Take one tablet by mouth every eight hours as needed for pain). Lindfors dispensed Hydrocodone twelve (12) times to T.V. [REDACTED]. Five of those times, Lindfors did not document the Hydrocodone as administered. Lindfors last dose of Hydrocodone that was dispensed and administered as given to T.V. [REDACTED] in July was on 7/20 at 7am. Less than 24 hours later, on 7/21/2022 at 6am, resident T.V. [REDACTED]'s urine analysis was collected for a drug screen. The results show that T.V. [REDACTED] tested negative for opiates. During the month of July, Lindfors did not work at Life Care on 7/4, 7/5, 7/9, 7/10, 7/13, 7/14, 7/18, and 7-19. Only one other staff member dispensed and administered Hydrocodone in July to T.V. [REDACTED] when Lindfors was not working, which was on 7/14.
- 10) Resident C.R. [REDACTED] was receiving Hydrocodone-Acetaminophen 5-325mg (Give 1 tablet by mouth every 6 hours as needed). Lindfors dispensed Hydrocodone twenty-one (21) times to C.R. [REDACTED]. Nine (9) of those times, Lindfors did not document the Hydrocodone as administered. On 7/18/2022, Lindfors dispensed a dose of Hydrocodone at 8am. This dose was not documented as administered and Lindfors was not scheduled to work at Life Care on this date. This was confirmed after reviewing Lindfors employee timesheet. During the month of July, Lindfors was not scheduled to work on 7/4, 7/5, 7/9, 7/10, 7/13, 7/14, 7/18, and 7/19. No other staff members dispensed or administered Hydrocodone to C.R. [REDACTED] when Lindfors was not working.
- 11) On 7/25/2022, Chris Birdsong, the Director of Nursing (DON), wrote a statement after speaking with resident C.R. [REDACTED]. The statement said that she does occasionally ask for pain medication in the afternoon. It depends on the day and her therapy.

- 12) On 7/25, Terri Phillips (Phillips), along with the Director of Human Resources (HR), Diana Gorecki (Gorecki), interviewed Lindfors over the phone. During the interview, Lindfors stated that she did give T.V. his Norco on 7/20/2022 and was unable to give an explanation regarding the drug screen result. Lindfors was terminated from the facility on 8/9/2022.
- 13) Lindfors sent a consumer complaint response to the Attorney Generals Office. In the response, Lindfors said that she administered every dose of medication that she signed for. On 3/3/2023, I interviewed Lindfors. She denied diverting medications from residents T.V. and C.R. at Life Care.
- 14) This investigation reveals on at least one occasion between July 2, 2022, and July 22, 2022, Traci Lindfors knowingly or intentionally acquired possession of a controlled substance; to wit: Hydrocodone, by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact in violation of I.C. 35-48-4-14(c).
- 15) This investigation reveals that on at least one occasion between July 2, 2022, and July 22, 2022, Traci Lindfors knowingly or intentionally furnished false or fraudulent material information in or omitted material information from a report or other document required to be kept or filed under I.C. 35-48 as to the documentation of the dispensing or administration of controlled substances in violation of I.C. 35-48-4-14(b)(3).
- 16) This investigation reveals that on at least one occasion between July 2, 2022, and July 22, 2022, Traci Lindfors did recklessly, knowingly or intentionally fail to make, keep or furnish a record, a notification, an order form, a statement, an invoice, or information required under I.C. 35-48 as to the documentation of the dispensing or administration of controlled substances in violation of I.C. 35-48-4-14(a) (3).

I swear, under the penalty for perjury as specified by I.C. 35-44.1-2-1 that the foregoing is true to the best of my information and belief.

/s/ Justin White  
Affiant, Justin White  
Drug Diversion Investigator  
OAG-MFCU