

COMMONWEALTH OF
PENNSYLVANIA
COUNTY OF: Lehigh

Magisterial District Number: 31-1-01
MDJ: Hon. Linda D. Vega.
Address: 1201 Sumner Avenue
Allentown, Pennsylvania 18102
Telephone: (610) 432-3080



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:

(NAME and ADDRESS):

Anna Cella Colon
First Name Middle Name Last Name Gen.
729 N. 5th Street, Allentown, Pennsylvania 18102

NCIC Extradition Code Type

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 1-Felony Full | <input type="checkbox"/> 5-Felony Pend. | <input type="checkbox"/> C-Misdemeanor Surrounding States | <input type="checkbox"/> Distance: _____ |
| <input type="checkbox"/> 2-Felony Ltd. | <input type="checkbox"/> 6-Felony Pend. Extradition Determ. | <input type="checkbox"/> D-Misdemeanor No Extradition | |
| <input checked="" type="checkbox"/> 3-Felony Surrounding States | <input type="checkbox"/> A-Misdemeanor Full | <input type="checkbox"/> E-Misdemeanor Pending | |
| <input type="checkbox"/> 4-Felony No Ext. | <input type="checkbox"/> B-Misdemeanor Limited | <input type="checkbox"/> F-Misdemeanor Pending Extradition Determ. | |

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR380-23	Date Filed 06/12/ 2023	OTN/LiveScan Number B491627-322	Complaint Number MF1210131116	Incident Number	Request Lab Services? <input type="checkbox"/> YES <input type="checkbox"/> NO
GENDER <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	DOB 01/22/ 1989	POB New York	Add'l DOB / /	Co-Defendant(s) <input type="checkbox"/>	
First Name AKA: Anna		Middle Name Cella	Last Name Colon	Gen.	
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown					
ETHNICITY <input checked="" type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown					
HAIR COLOR <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red/Auburn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> BLN (Blonde / Strawberry)					
EYE COLOR <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)					
DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			WEIGHT (lbs.) 210	
FBI Number 577177RD3	MNU Number			P. HEIGHT in. 5 8	
Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
Fingerprint Classification					

DEFENDANT VEHICLE INFORMATION

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Commi'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	Year	Make	Model	Style	Color		

Office of the attorney for the Commonwealth ☒ Approved ☐ Disapproved because:

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507).

Susann B. Morrison, SDAG

(Name of the attorney for the Commonwealth)

Susann B. Morrison
(Signature of the attorney for the Commonwealth)

06/12/ 2023

(Date)

I, Ryan S. King, Special Agent

(Name of the Affiant)

Badge #104

(PSP/MP/OTC -Assigned Affiant ID Number & Badge #)

of PA Office of Attorney General

(Identify Department or Agency Represented and Political Subdivision)

PA0222400

(Police Agency ORI Number)

do hereby state: (check appropriate box)

1. ☒ I accuse the above named defendant who lives at the address set forth above

☐ I accuse the defendant whose name is unknown to me but who is described as _____

☐ I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at 301 729 N. 5th Street, Allentown,
Pennsylvania 18102 (Subdivision Code) (Place/Political Subdivision)

in Lehigh County

39

(County Code)

on or about October 23, 2020 - December 31, 2022

(Offense Date)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 06/12/2023	OTN/LiveScan Number	Complaint Number MF210131116	Incident Number
Defendant Name	First: Anna	Middle: Celia	Last: Colon	

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____					
<input checked="" type="checkbox"/> Lead?	1	1407	(A)(1)	of the	Title 62	1	F3	2699	110
PennDOT Data (if applicable)	Accident Number	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
					<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): MEDICAID FRAUD - SUBMISSION OF FALSE INFORMATION									
Acts of the accused associated with this Offense: One continuous count of knowingly or intentionally submitting false information for the purpose of receiving greater compensation than entitled to receive under the Medical Assistance Program.									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/> Lead?	2	1407	(A)(4)	of the	Title 62	1	F3	2699	110
PennDOT Data (if applicable)	Accident Number	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
					<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): MEDICAID FRAUD - SERVICES NOT RENDERED									
Acts of the accused associated with this Offense: One continuous count of knowingly or intentionally submitting, or causing to be submitted, a claim for services which were not rendered to a recipient under the Medical Assistance Program.									

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/> Lead?	3	1407	(A)(7)	of the	Title 62	1	F3	2699	110
PennDOT Data (if applicable)	Accident Number	Subsection		PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
					<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): MEDICAID FRAUD - MISREPRESENTATION									
Acts of the accused associated with this Offense: One continuous count of knowingly or intentionally submitting, or causing to be submitted, a claim which misrepresented the description of services provided; the dates of services, the identity of the recipient or the actual provider under the Medical Assistance Program.									



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 06/12/2023	OTN/LiveScan Number	Complaint Number MF1210131116	Incident Number
Defendant Name	First: Anna	Middle: Gelia	Last: Colon	

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically.
(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18.901 A	<input type="checkbox"/> Solicitation 18.902 A	<input type="checkbox"/> Conspiracy 18.903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/>	4	3922	(A)(1)	of the	Title 18	1	F2	2399	110
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance): THEFT BY DECEPTION.									
Acts of the accused associated with this Offense: One continuous count of intentionally obtaining or withholding property of another by creating or reinforcing a false impression, including false impressions as to law, value, intention, or other state of mind causing the theft of Medical Assistance funds of greater than \$100,000.									

Inchoate Offense	<input type="checkbox"/> Attempt 18.901 A	<input type="checkbox"/> Solicitation 18.902 A	<input type="checkbox"/> Conspiracy 18.903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance):									
Acts of the accused associated with this Offense:									

Inchoate Offense	<input type="checkbox"/> Attempt 18.901 A	<input type="checkbox"/> Solicitation 18.902 A	<input type="checkbox"/> Conspiracy 18.903	Number of Victims Age 60 or Older _____					
<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	
PennDOT Data (if applicable)	Accident Number				<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone		
Statute Description (include the name of statute or ordinance):									
Acts of the accused associated with this Offense:									

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 06 /12/ 2023	OTN/LiveScan Number	Complaint Number MFI210131116	Incident Number
Defendant Name:	First: Anna	Middle: Celia	Last: Colon	

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
4. This complaint consists of the preceding page(s) numbered 1 through 3.
5. I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited:
(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

June 12, 2023
(Date)

(Year)

[Signature]
(Signature of Affiant)

AND NOW, on this date 6-12-23 I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

34-01
(Magisterial District Court Number)

[Signature]
(Issuing Authority)

SEAL



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint Number MFI210131116	Incident Number
Defendant Name	First: Anna	Middle: Celia	Last: Colon	

AFFIDAVIT of PROBABLE CAUSE

1. Your Affiant is Special Agent Ryan S. King, Pennsylvania Office of Attorney General, Bureau of Criminal Investigations, Medicaid Fraud Control Section, located in Harrisburg, Pennsylvania. This affidavit is based on an analysis of the data and documentation obtained during the course of the investigation, witness interviews, and investigative work conducted by your Affiant.

2. The Defendant, Anna Celia Colon (Anna), has a last known address of 729 N. 5th Street, Allentown, Pennsylvania. Also residing at the residence is D. Christy and C. Colon, who are consumers that receive attendant care services through the Community HealthChoices Waiver (CHC Waiver). The Defendant is or has been employed as a personal care attendant (PCA), also known as an attendant, for both D. Christy and C. Colon, as well as several other individuals. Under the CHC Waiver, attendants are hired by attendant care agencies and are paid with Medical Assistance funds.

3. According to the Department of Human Services (DHS), the goal of the CHC Waiver program is to provide services, such as attendant care services, to qualifying persons with severe physical disabilities who are 21 years of age or older, have both Medicare and Medical Assistance or receive long-term supports through Medical Assistance because of the assistance needed with everyday personal tasks. These services, which are provided in the consumer's home, help to provide an alternative to institutionalization by enabling the consumer to live as independently as possible within the community. Attendant care services may include tasks such as assisting the consumer with transferring, bathing, dressing, toileting, meal preparation, laundry, and light housekeeping. Consumers are approved for a certain number of service hours per week according to the consumer's specific needs and as outlined in the consumer's service plan.

The CHC Waiver requires consumers to select a Managed Care Organization (MCO) to administer their Medical Assistance benefits. The MCOs are contracted with the Commonwealth of Pennsylvania to manage Medical Assistance services for consumers in Pennsylvania. Attendant Care agencies submit claims to these MCOs where the claims are reviewed and payments are issued to the agencies. The MCOs manage the payments from the Medical Assistance program for attendant care services provided to the consumers. The MCOs selected to administer the benefits to the consumers during the relevant time period include UPMC, AmeriHealth, PA Health and Wellness, and PA Office of Developmental Programs.

4. Under the CHC Waiver, attendant care agencies work to coordinate services, hire and pay attendants for the services they provide to the consumers. Between the dates of January 1, 2020 and December 31, 2022, the Defendant was employed by at least nine different attendant care agencies to provide services to 10 or more different consumers, to include All American Home Care LLC, Hands From The Heart Home Health, Loving Angels Homecare LLC, Patriot Home Care Inc., Royal Home Care Services Inc., Care and Help Home Care LLC, The Arc of Lehigh and Northampton Counties, AccuCare Home Nursing Inc., and Excel Companion Care LLC. Each attendant care agency employed the Defendant to serve as an attendant to one or more consumers and was responsible for issuing payment to the Defendant. The details of the Defendant's employment are tabled below:

**POLICE CRIMINAL COMPLAINT**

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Defendant Name	First: Anna	Middle: Celia	Last: Colon	

AFFIDAVIT of PROBABLE CAUSE

All American Home Care LLC	
Application Date:	July 13, 2018
Job Title:	Personal Care Aide
Consumer Name(s):	A. Rodriguez
Agency Document:	On July 13, 2018, the Defendant signed an "All American Home Care LLC Fraud Understand Disclosure Form" which contains clauses certifying that the Defendant understands that, "I cannot claim the hours that I also claimed at another job," "I cannot submit the timesheet for any hours I did not work," "I cannot submit the timesheet for hours when the participant is not eligible for services," "I cannot submit the timesheet for hours when I was out of town, the state or the country or otherwise unavailable to provide services...", and "I cannot subcontract any work and still submit the timesheet for hours another person worked in my place."

Hands From The Heart Home Health	
Application Date:	February 5, 2019
Job Title:	Family Caregiver
Consumer Names:	D. Christy
Agency Document:	On February 5, 2019, the Defendant signed an "Employee Acknowledgement of Receipt of Employee Manual" certifying the Defendants receipt and understanding of the Employee Manual which contains clauses certifying that, "Employees are expected to report to work as scheduled, be on time and be prepared to start work. Employees are also expected to remain at work for their entire work schedule..." and that the following behavior is unacceptable to include the "Falsification of employment records, employment information or other records," and "Recording the work time of another employee, allowing any employee to record another employee's work time, or allowing falsification of any time card, whether yours or another employee's."

Loving Angels Homecare LLC	
Application Date:	October 15, 2020
Job Title:	Personal Care Aide
Consumer Name(s):	A. Lugo, D. Christy, R. Martinez, and O. Rivera
Agency Document:	At the time of hire, the Defendant signed a "Loving Angels Homecare LLC Handbook Receipt" form which contains a clause certifying that the Defendant understands that, "I am responsible for reading, understanding, and following the information contained within it [Handbook]." The Handbook contains clauses stating that as the employee, the Defendant is "required to maintain an accurate record of all time worked," and that the Defendant "must record their hours either on a paper timesheet or in the agency's software."

**POLICE CRIMINAL COMPLAINT**

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint Number MFI210131116	Incident Number
Defendant Name	First: Anna	Middle: Celia	Last: Colon	

AFFIDAVIT of PROBABLE CAUSE

Royal Home Care Services Inc.	
Application Date:	April 26, 2021
Job Title:	Personal Care Aide
Consumer Name(s):	C. Colon
Agency Document:	On April 26, 2021, the Defendant signed a "RHC Family Care Givers Policy" which contains a clause certifying that, "you can be terminated, and you will not be paid for any fraudulent activity. This includes but is not limited to:... a) Having another person clock, you in or out... b) Clocking in and then leaving your loved one alone for a lengthy period... d) Clocking in, leaving to work another job then returning home to clock out."

Care and Help Home Care LLC	
Application Date:	May 11, 2021
Job Title:	Direct Care Worker
Consumer Name(s):	R. Martinez and A. Padilla
Agency Document:	On May 11, 2021, the Defendant signed an "Employee Receipt and Acceptance" form acknowledging receipt and understanding of the Employee Handbook which contains clauses certifying that the Defendant understands that, "All employee paychecks and benefit hours are based on the hours submitted through time sheets or clock in/out through EVV. Therefore, all hourly employees are required to maintain accurate EVV records or time sheets and each employee is personally responsible for his or her own EVV time sheets. Any falsification of EVV or other unauthorized alteration of a time sheets is grounds for immediate dismissal," and "All employees shall consider the impact that outside employment may have on their abilities to perform their duties in the Company."

The Arc of Lehigh and Northampton Counties	
Application Date:	July 20, 2021
Job Title:	Unspecified
Consumer Name(s):	H. Perez
Agency Document:	On July 20, 2021, the Defendant signed a "Handbook Acknowledgement" acknowledging receipt of the Handbook which contains a clause certifying that, "I understand and acknowledge that any false claims or untruthful submission of services provided, statements, or documents, or concealment of material facts in an attempt to obtain improper payment is reportable as Medicaid Fraud and subject to investigation."

**POLICE CRIMINAL COMPLAINT**

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AFFIDAVIT of PROBABLE CAUSE

Patriot Home Care Inc.	
Application Date:	April 15, 2021
Job Title:	Direct Care Worker
Consumer Name(s):	M. Garcia
Agency Document:	On April 15, 2021, the Defendant signed a "DCW Agreement" which contains a clause certifying that, "I understand and acknowledge that any false claims or untruthful submission of services provided, statements, or documents, or concealment of material facts in an attempt to obtain improper payment is reportable as Medicaid Fraud and subject to investigation."

AccuCare Home Nursing Inc.	
Application Date:	March 1, 2022
Job Title:	Home Health Aide
Consumer Name(s):	A. Padilla
Agency Document:	On March 9, 2022, the Defendant was granted a Certificate of Completion certifying the satisfactory completion of 60 hours of training, to include training in "Home Health Aide Responsibilities," and "Billing and documentation of service delivery including use of EVV and service reporting."

Excel Companion Care LLC d/b/a Help at Home	
Application Date:	May 6, 2022
Job Title:	Direct Care Worker
Consumer Names:	H. Ortiz
Agency Document:	On May 6, 2022, the Defendant signed a "Job Description" which contains clause certifying that, "I have received, read, and understand the job description," which lists, "Produces accurate documentation of the services," as a primary responsibility.

5. According to each of the attendant care agencies, attendants who provide services through the CHC Waiver are responsible for accurately documenting the dates and times of the services provided to the consumer on a daily basis. Beginning on January 1, 2020, all timekeeping was required to be done electronically through Electronic Visit Verification (EVV), per federal regulation. Each agency is required to utilize a state-approved vendor, such as HHAAExchange, to provide homecare management software capable of collecting the required data in an effort to validate the services. Through the use of a vendor, each agency is able to offer the ability to submit electronic timekeeping records through a telephone call-in system or mobile application. The telephone call-in system, often called a telephony system, requires the attendant to call into the agency at the beginning and end of each shift to document and report the dates and times that services were provided. When submitting timekeeping records electronically using the mobile application, the attendant must use an internet-connected mobile device. In order to utilize the mobile application, the attendant must log into their account using their own unique username and password. When the mobile application is used, GPS coordinates of the mobile device are captured and maintained in the EVV data. The electronic timekeeping records captured through EVV are then submitted as a claim to a MCO by the attendant care agency. Based on the EVV submissions and subsequent claims that are reported to them, the MCOs disperse Medical Assistance funds to the agencies. The attendant care services are billed at a reimbursement rate greater than what the Defendant was paid.

**POLICE CRIMINAL COMPLAINT**

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AFFIDAVIT of PROBABLE CAUSE

6. This investigation was initiated based on a referral from Hands From The Heart Home Health (HFTH) through the DHS Bureau of Program Integrity (BPI) regarding allegations of Medicaid Fraud by the Defendant. HFTH had received information that D. Christy was hospitalized at St. Luke's Hospital from March 17, 2021 to March 26, 2021. The Defendant continued to submit timekeeping records to HFTH, indicating that she provided attendant care services to D. Christy, when according to hospitalization records, he was admitted to the hospital and services could not have been provided. During the course of the investigation, your Affiant confirmed through analysis of records provided by HFTH that the Defendant was employed as D. Christy's sole attendant; did in fact submit timekeeping records to HFTH, and was subsequently paid for dates and times while D. Christy was hospitalized and unable to receive attendant care services. The Defendant submitted fraudulent timekeeping records for 28 hours from March 18, 2021 to March 22, 2021 while D. Christy was hospitalized at St. Luke's Hospital.

7. Additional investigative work by your Affiant revealed that the Defendant was also employed by multiple other attendant care agencies and was listed as an attendant for at least ten different consumers between the dates of January 1, 2020 and December 31, 2022. Your Affiant obtained employment records from the attendant care agencies and timekeeping records submitted by the Defendant through EVV, which included the dates and times the Defendant alleged to be working with each consumer through the designated attendant care agency.

Your Affiant compared and analyzed the employment records and EVV data, and identified at least 675 occasions between the dates of October 23, 2020 and December 31, 2022, in which the Defendant submitted timekeeping records and was subsequently paid for those hours, when the Defendant was working for one or more other attendant care agencies, and being paid to provide attendant care services to different consumers during those same dates and times. In other words, on at least 675 days, the Defendant submitted fraudulent timekeeping records that indicated that she was providing services to at least two different consumers at two different physical locations at the exact same time. Below is an example of one of the 675 days in which the Defendant submitted overlapping timekeeping records:

Client Name	Client Address	Date of Service	Time In	Time Out	Length of Shift
R. MARTINEZ	500 Block of N. Penn Street Allentown, PA 18102	2/3/2022	0:00:00	4:31:00	4 Hrs 31 Mins
D. CHRISTY	700 Block of N 5th Street Allentown, PA 18102	2/3/2022	5:00:00	16:00:00	11 Hrs 0 Mins
C. COLON	700 Block of N 5th Street Allentown, PA 18102	2/3/2022	5:30:00	14:30:00	9 Hrs 0 Mins
A. PADILLA	800 Block of N. Sherman Street Allentown, PA 18109	2/3/2022	9:01:00	22:01:00	13 Hrs 0 Mins
M. GARCIA	1800 Block of W. Walnut Street, Allentown, PA 18104	2/3/2022	9:07:00	20:58:00	11 Hrs 51 Mins
D. CHRISTY	700 Block of N 5th Street Allentown, PA 18102	2/3/2022	18:00:00	23:00:00	5 Hrs 0 Mins
R. MARTINEZ	500 Block of N. Penn Street Allentown, PA 18102	2/3/2022	23:30:00	23:59:00	0 Hrs 29 Mins
					54 Hrs 51 Mins

**POLICE CRIMINAL COMPLAINT**

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AFFIDAVIT of PROBABLE CAUSE

8. Further analysis by your Affiant revealed that between the dates of October 23, 2020 and December 31, 2022, the Defendant submitted greater than 24 hours of alleged attendant care services in a single 24-hour day on at least 675 occasions, and as many as 94.5 hours of services in a single 24-hour day. The Defendant submitted in excess of 16,000 fraudulent hours that were above and beyond the maximum 24 hours in a single day, which led to an overpayment by the Medical Assistance Program of greater than \$300,000.00 for services that could not have been provided as indicated. The total amount of the Defendant's fraudulently submitted hours is greater.

To provide a few examples of the Defendant's continuous pattern of fraud, below is the EVV data depicting five of the 675 dates of service in which the Defendant submitted timekeeping records in excess of 24 hours per day for services she allegedly provided and was ultimately paid for with Medical Assistance funds.

Client Name	Agency Name	Date of Service	Time In	Time Out	Length of Shift
D. CHRISTY	HANDS FROM THE HEART HOME HEALTH	12/24/2020	0:00:00	1:00:00	1 Hr 0 Mins
D. CHRISTY	HANDS FROM THE HEART HOME HEALTH	12/24/2020	5:00:00	9:00:00	4 Hrs 0 Mins
A. LUGO	LOVING ANGELS HOMECARE LLC	12/24/2020	6:00:00	14:00:00	8 Hrs 0 Mins
A. RODRIGUEZ	ALL AMERICAN HOME CARE LLC	12/24/2020	9:00:00	20:00:00	11 Hrs 0 Mins
D. RIVERA	LOVING ANGELS HOMECARE LLC	12/24/2020	14:00:00	20:00:00	6 Hrs 0 Mins
D. CHRISTY	HANDS FROM THE HEART HOME HEALTH	12/24/2020	20:00:00	23:59:00	3 Hrs 59 Mins
					33 Hrs 59 Mins

Client Name	Agency Name	Date of Service	Time In	Time Out	Length of Shift
D. CHRISTY	LOVING ANGELS HOMECARE LLC	5/29/2021	4:58:00	9:01:00	4 Hrs 3 Mins
C. COLON	ROYAL HOME CARE SERVICES INC	5/29/2021	5:28:00	12:16:00	6 Hrs 48 Mins
M. GARCIA	PATRIOT HOME CARE INC	5/29/2021	8:50:00	20:51:00	12 Hrs 1 Mins
R. MARTINEZ	CARE AND HELP HOME CARE LLC	5/29/2021	9:00:00	15:00:00	6 Hrs 0 Mins
A. LUGO	LOVING ANGELS HOMECARE LLC	5/29/2021	9:15:00	20:01:00	10 Hrs 46 Mins
D. CHRISTY	LOVING ANGELS HOMECARE LLC	5/29/2021	20:19:00	23:06:00	2 Hrs 47 Mins
					42 Hrs 25 Mins

Client Name	Agency Name	Date of Service	Time In	Time Out	Length of Shift
D. CHRISTY	LOVING ANGELS HOMECARE LLC	8/19/2021	5:01:00	9:01:00	4 Hrs 0 Mins
C. COLON	ROYAL HOME CARE SERVICES INC	8/19/2021	5:41:00	12:15:00	6 Hrs 34 Mins
M. GARCIA	PATRIOT HOME CARE INC	8/19/2021	8:50:00	20:57:00	12 Hrs 7 Mins
A. PADILLA	CARE AND HELP HOME CARE LLC	8/19/2021	9:00:00	22:01:00	13 Hrs 1 Mins
H. PEREZ	THE ARC OF LEHIGH AND NORTHAMP	8/19/2021	15:00:00	22:00:00	7 Hrs 0 Mins
D. CHRISTY	LOVING ANGELS HOMECARE LLC	8/19/2021	18:00:00	23:00:00	5 Hrs 0 Mins
					47 Hrs 42 Mins

**POLICE CRIMINAL COMPLAINT**

Docket Number:	Date Filed: / /	OTN/LiveScan Number	Complaint Number MF1210131116	Incident Number
Defendant Name	First: Anna	Middle: Celia	Last: Colon	

AFFIDAVIT of PROBABLE CAUSE

Client Name	Agency Name	Date of Service	Time In	Time Out	Length of Shift
R. MARTINEZ	LOVING ANGELS HOMECARE LLC	5/26/2022	0:00:00	5:10:00	5 Hrs 10 Mins
A. PADILLA	ACCUCARE HOME NURSING INC.	5/26/2022	0:00:00	8:54:00	8 Hrs 54 Mins
D. CHRISTY	LOVING ANGELS HOMECARE LLC	5/26/2022	5:10:00	18:21:00	13 Hrs 11 Mins
C. COLON	ROYAL HOME CARE SERVICES INC	5/26/2022	5:30:00	14:35:00	9 Hrs 5 Mins
A. PADILLA	CARE AND HELP HOME CARE LLC	5/26/2022	8:55:00	22:00:00	13 Hrs 5 Mins
M. GARCIA	PATRIOT HOME CARE INC	5/26/2022	8:59:00	21:10:00	12 Hrs 11 Mins
H. ORTIZ	EXCEL COMPANION CARE INC	5/26/2022	9:00:00	21:01:00	12 Hrs 1 Min
D. CHRISTY	LOVING ANGELS HOMECARE LLC	5/26/2022	18:21:00	23:37:00	5 Hrs 16 Mins
A. PADILLA	ACCUCARE HOME NURSING INC	5/26/2022	22:01:00	23:59:00	1 Hr 58 Mins
R. MARTINEZ	LOVING ANGELS HOMECARE LLC	5/26/2022	23:37:00	23:59:00	0 Hrs 22 Mins
					81 Hrs 13 Mins

Client Name	Agency Name	Date of Service	Time In	Time Out	Length of Shift
R. MARTINEZ	LOVING ANGELS HOMECARE LLC	8/12/2022	0:00:00	5:02:00	5 Hrs 2 Mins
A. PADILLA	ACCUCARE HOME NURSING INC.	8/12/2022	0:00:00	8:54:00	8 Hrs 54 Mins
H. ORTIZ	EXCEL COMPANION CARE LLC	8/12/2022	0:00:00	8:59:00	8 Hrs 59 Mins
R. MARTINEZ	LOVING ANGELS HOMECARE LLC	8/12/2022	1:51:00	23:59:00	22 Hrs 8 Mins
D. CHRISTY	LOVING ANGELS HOMECARE LLC	8/12/2022	5:02:00	8:56:00	3 Hrs 54 Mins
A. PADILLA	CARE AND HELP HOME CARE LLC	8/12/2022	8:54:00	21:54:00	13 Hrs 0 Mins
M. GARCIA	PATRIOT HOME CARE INC	8/12/2022	8:57:00	8:56:00	11 Hrs 59 Mins
D. CHRISTY	LOVING ANGELS HOMECARE LLC	8/12/2022	18:00:00	23:00:00	5 Hrs 0 Mins
M. GARCIA	PATRIOT HOME CARE INC	8/12/2022	9:01:00	20:56:00	11 Hrs 55 Mins
D. CHRISTY	LOVING ANGELS HOMECARE LLC	8/12/2022	18:00:00	23:00:00	5 Hrs 0 Mins
H. ORTIZ	EXCEL COMPANION CARE LLC	8/12/2022	21:00:00	23:59:00	2 Hrs 59 Mins
A. PADILLA	ACCUCARE HOME NURSING INC	8/12/2022	22:57:00	23:59:00	1 Hr 2 Mins
					94 Hrs 52 Mins

9. Your Affiant took additional investigative steps to include physical surveillance of the Defendant. On October 20, 2021, your Affiant and Special Agent Matthew Yocum (SA Yocum) conducted physical surveillance to observe the movements of the Defendant throughout the day. At 0835 hours, Agents observed the Defendant exit her residence with a young child before proceeding to drop the child off at a local elementary school and returning to her residence. At 1401 hours, your Affiant observed the Defendant exit her residence before proceeding to the residence of consumer, H. Perez. At 1710 hours, SA Yocum observed the Defendant exit H. Perez's residence and proceed to drive to the apartment complex of consumer, M. Garcia. The Defendant remained at M. Garcia's apartment complex for 13 minutes before your Affiant observed the

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Defendant exit the complex and proceed in the direction of the Defendant's residence. Surveillance was again established on the Defendant's residence, where the Defendant's vehicle was parked. At 1959 hours, SA Yocum observed a vehicle with a passenger believed to be the Defendant depart the Defendant's residence, traveling to and arriving at H. Perez's residence. At 2215 hours, the Agents noted that the vehicle was no longer at the residence. Below is the EVV data for October 20, 2021, reflecting the timekeeping records the Defendant submitted and was paid for.

Client Name	Agency Name	Date of Service	Time In	Time Out	Length of Shift
C. COLON	ROYAL HOME CARE SERVICES INC	10/20/2021	5:31:00	12:20:00	6 Hrs 49 Mins
M. GARCIA	PATRIOT HOME CARE INC	10/20/2021	8:58:00	20:58:00	12 Hrs 0 Mins
A. PADILLA	CARE AND HELP HOME CARE LLC	10/20/2021	9:00:00	22:00:00	13 Hrs 0 Mins
H. PEREZ	THE ARC OF LEHIGH AND NORTHAMPTON	10/20/2021	15:00:00	22:30:00	7 Hrs 30 Mins
					39 Hrs 19 Mins

On October 20, 2021, the Defendant submitted fraudulent timekeeping records as follows: submitted that she provided 12 hours of services to M. Garcia when she was only at M. Garcia's residence for 13 minutes; submitted that she provided 13 hours of services to A. Padilla when she was not observed at his residence at all that day; submitted seven hours and 30 minutes of services to H. Perez when she was at H. Perez's residence for less than five hours and 30 minutes.

10. Additionally, between the dates of December 1, 2021 and April 7, 2022, the Pennsylvania Office of Attorney General conducted continuous 24 hours a day, 7 days a week video surveillance of multiple residences, to include the residences of the Defendant, and consumers A. Padilla and M. Garcia to track the Defendant's time spent with consumers for whom she was billing for services. Your affiant reviewed and analyzed the video surveillance and determined that the Defendant routinely failed to provide attendant care services as indicated. Your Affiant noted numerous instances when the Defendant had submitted timekeeping records indicating she was actively providing attendant care services to consumers, when in fact she was either at her residence for significant portions of the day, did not visit the consumer at all or appeared to be running personal errands.

Interview of A. LUGO (Consumer) & J. LUGO (Brother of A. LUGO – Consumer)

11. On November 16, 2022, your Affiant along with Special Agent Christina Hingston (SA Hingston) and Special Agent Brian Roby (SA Roby) interviewed consumer, A. Lugo, who confirmed that the Defendant was a prior caregiver of hers. A. Lugo stated that she knew of the Defendant through the Defendant's grandmother, A. Rodriguez, who resided in her apartment complex. A. Lugo indicated that the Defendant would stop by in the morning and leave one to two hours later, adding that the Defendant never provided the amount of attendant care hours per day that she indicated. As a result, A. Lugo's brother, J. Lugo, would stop by to help. A. Lugo stated that it eventually got to the point where she felt the need to contact the agency to report that the Defendant was not providing her care and that she needed additional help. On November 17, 2022, your Affiant spoke with J. Lugo, who confirmed the accuracy of the statements made by A. Lugo.

Interview of W. MELENDEZ (Father of H. PEREZ - Consumer)

12. On April 20, 2022, your Affiant along with Supervisory Special Agent Amanda Flowers (SSA Flowers) and Special Agent Christina Hingston (SA Hingston) interviewed W. Melendez, father of consumer, H. Perez. W. Melendez explained that H. Perez is non-verbal and is unable to care for himself. In order to ensure H. Perez receives proper care, multiple attendants are employed to cover the 24/7 care that H. Perez requires. According to W. Melendez, The ARC of Lehigh and Northampton

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employed the Defendant for a short time in 2021 to provide care to H. Perez. W. Melendez stated that the Defendant often arrived late for her shifts and would leave for a period of time before returning at the end of the shift, never staying for the entire shift. As a result, W. Melendez (75 years of age) and his wife were left to care for H. Perez much of the time. W. Melendez added that the Defendant, "always had a reason to leave," though it was never to run errands for H. Perez. W. Melendez stated that the Defendant never played with H. Perez, read to him, colored with him, or worked on therapy and stretching as the Defendant had indicated in the agency notes. According to W. Melendez, he notified The ARC of Lehigh and Northampton that the Defendant was not providing care to H. Perez for the entirety of the shifts. The Defendant was terminated at a later date. W. Melendez stated he never clocked in or out for the Defendant.

Interview of R. MARTINEZ (Daughter of M. GARCIA - Consumer)

13. On October 20, 2021, your Affiant along with Marie Torres (Marie), Administrative Assistant, PMI, Allentown Towne House Apartments, interviewed R. Martinez, daughter of consumer, M. Garcia. R. Martinez informed this Agent that the Defendant is M. Garcia's sole attendant, providing care from 9:00 a.m. to 9:00 p.m. R. Martinez indicated that M. Garcia resides alone but that R. Martinez often cares for M. Garcia during the overnight hours, when the Defendant's shift is over. R. Martinez stated that the Defendant was out running errands and would be back later during the day. R. Martinez indicated that she had no complaints about the Defendant. During the day of the interview, your Affiant conducted physical surveillance and noted that the Defendant did not arrive to M. Garcia's residence until 5:32 p.m. and only remained at the residence for 13 minutes. According to EVV records, the Defendant submitted timekeeping records and was paid as though she was providing care to M. Garcia for 12 hours from 8:58 a.m. to 8:58 p.m. on the day of the interview.

Interview of A. PADILLA (Consumer)

14. On April 20, 2022, your Affiant along with Supervisory Special Agent Amanda Flowers (SSA Flowers) and Special Agent Christina Hingston (SA Hingston) interviewed consumer, A. Padilla, who confirmed that the Defendant is his sole attendant, providing "some day and night hours." When asked to clarify, A. Padilla stated that the Defendant "will come and go throughout the day," staying "about an hour each visit." A. Padilla indicated that he didn't know how many hours he was authorized to receive, having stated that "Anna [Defendant] did all of that," referring to the individual who signed him up to receive attendant care services and who interacts with the agencies. A. Padilla admitted that there were times when the Defendant failed to show up and provide attendant care services and that he assumed the Defendant was working somewhere else based on their interactions. When asked whether it was accurate to state that the Defendant had not provided him 24/7 care since an increase in hours took effect in March 2022, A. Padilla agreed. A. Padilla went on to state that the Defendant "used to come a lot, but now not so much." A. Padilla denied ever clocking in or out for the Defendant.

Interview of Anna Colon (Defendant)

15. On April 25, 2023, your Affiant along with Supervisory Special Agent Amanda Flowers (SSA Flowers) and Senior Deputy Attorney General Susann Morrison (SDAG Morrison) conducted a scheduled interview of the Defendant, Anna Colon. Also present during the interview was defense attorney, Kathryn Roberts (Roberts). The Defendant indicated that she first began providing attendant care services in 2015, around the same time she moved to Pennsylvania from New York. The Defendant confirmed that since 2015, she has been employed by multiple agencies to provide attendant care services to various consumers and that she remains employed as a Personal Care Attendant to this day.

The Defendant admitted to your Affiant that she would clock-in and clock-out for multiple shifts in a single 24-hour day, stating that "I was everywhere." The Defendant went on to state that she was "on call," and would "pop in here, pop in there." When asked whether it's accurate to say that she wasn't providing the number of hours that she was submitting and being paid for, the Defendant stated, "Yeah. Yeah. Absolutely, I'm not going against that."

