

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Case No. 26-cr-140-DDD

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. MOHAMED ELIAS OMER,

Defendant.

INDICTMENT

Counts 1-3

42 U.S.C. § 1320a-7b(b)(2)(A), 18 U.S.C. § 2

Counts 4-12

42 U.S.C. § 1320a-7b(b)(2)(B), 18 U.S.C. § 2

The Grand Jury charges:

Background

Colorado Medicaid and Relevant Rules

1. The Medicaid Program (“Medicaid”) provides health coverage to low-income adults, children, pregnant women, elderly adults, and people with disabilities. Medicaid is a federal- and state-funded health care program administered by states, according to federal requirements.

2. Colorado Medicaid is a “Federal health care program” as defined in Title 42, United States Code, Section 1320a-7b(f), and a “health care benefit program,” as defined by Title 18, United States Code, Section § 24(b).

3. The benefits available under Medicaid are governed by federal statutes

and regulations, and by rules implemented by the individual states. Individuals who receive benefits under Medicaid are commonly referred to as Medicaid “beneficiaries.”

4. A Medicaid claim is required to contain certain important information, including: the beneficiary’s name and Member ID number; the billing or procedure code for the benefit, item, or service; the date or date range during which the benefit, item, or service was provided or supplied to the beneficiary; and the name of the provider. The claim form can be submitted electronically.

5. The State of Colorado, acting through the Department of Health Care Policy and Financing (“HCPF”), administers the Colorado Medicaid Program, called Health First Colorado (hereinafter “Colorado Medicaid”).

Individuals and Entities

6. During all times relevant to this Indictment, MOHAMED ELIAS OMER (“OMER”) was the co-owner of Nadina Adult Daycare Center LLC (“Nadina Adult Daycare”), located in Arapahoe County, Colorado.

7. Nadina Adult Daycare was registered with the Colorado Secretary of State on or about October 10, 2023. Adult daycare centers provide eligible adults with supervision, personal care, and medical services during the daytime for up to eight hours at a time.

8. On or about March 26, 2024, OMER submitted a Provider Participation Agreement (“PPA”) on behalf of Nadina Adult Daycare to HCPF to enroll as a provider for Colorado Medicaid. By attesting to the PPA, OMER agreed to comply with all federal and state laws, regulations, and official guidance. On or about June 14, 2024, HCPF

authorized Nadina Adult Daycare to provide non-medical transportation services, such as to transport clients to and from daycare.

9. OMER was also the owner of Nadina Home Care LLC (“Nadina Home Care”). Nadina Home Care arranged for and processed payments for caregivers who provided Medicaid beneficiaries with in-home care. Nadina Home Care was originally called Super Home Care LLC.

10. On or about January 25, 2022, OMER submitted a PPA on behalf of Super Home Care LLC to HCPF to enroll as a provider for Colorado Medicaid. By attesting to the PPA, OMER agreed to comply with all federal and state laws, regulations, guidelines, and HCPF rules. On or about August 25, 2023, HCPF changed the entity name to Nadina Home Care, as Omer had requested.

Counts 1-3
Illegal Remunerations, 42 U.S.C. § 1320a-7b(b)(2)(A), 18 U.S.C. § 2

11. The Grand Jury re-alleges and incorporates by reference paragraphs 1-10 of this Indictment.

12. On or about the dates set forth below, in the State and District of Colorado and elsewhere, the defendant **MOHAMED ELIAS OMER**, did knowingly and willfully offer and pay any remuneration, including kickbacks and bribes, directly and indirectly, overtly and covertly, in cash and in kind, to a person to induce such person to refer an individual to a person for the furnishing or arranging for the furnishing of any item or service for which payment may be made in whole or in part under a Federal health care program, namely, the following payments, which constituted illegal kickbacks in return

for referring Medicaid beneficiaries to Nadina Adult Daycare to allow the defendant to submit claims to and receive payment from Colorado Medicaid for services purportedly provided to the beneficiaries:

Count	Date	Payment	Amount
1	5/23/2025	Check to Individual 1 for "Referral Transfer Bonus"	\$500
2	6/5/2025	Check to Individual 2 for "Referral Bonus"	\$500
3	8/18/2025	Check to Individual 3 for "Referral"	\$500

All in violation of Title 42, United States Code, Section 1320a-7b(b)(2)(A), and Title 18, United States Code, Section 2.

Counts 4-12
Illegal Remunerations, 42 U.S.C. § 1320a-7b(b)(2)(B), 18 U.S.C. § 2

13. The Grand Jury re-alleges and incorporates by reference paragraphs 1-10 of this Indictment.

14. On or about the dates set forth below, in the State and District of Colorado and elsewhere, the defendant **MOHAMED ELIAS OMER**, did knowingly and willfully offer and pay any remuneration, including kickbacks and bribes, directly and indirectly, overtly and covertly, in cash and in kind, to a person to induce such person to purchase, lease, order, or arrange for, or recommend purchasing, leasing, or ordering any good, facility, service, or item for which payment may be made in whole or in part under a Federal health care program, namely, the following payments, which constituted illegal kickbacks in return for Medicaid beneficiaries' agreement to allow the defendant to submit claims to and receive payment from Colorado Medicaid for services purportedly

provided to the beneficiaries by Nadina Adult Daycare:

Count	Date	Payment	Amount
4	6/2/2025	Check to Individual 4 for "Marketing Expense"	\$1,000
5	6/2/2025	Check to Individual 5 for "Marketing Expense"	\$2,000
6	6/5/2025	Check to Individual 6 for "Welcome Bonus"	\$500
7	6/11/2025	Check to Individual 7 for "Office Tech Expense + Bonus"	\$1,500
8	7/1/2025	Check to Individual 7 for "June Marketing"	\$1,000
9	7/1/2025	Check to Individual 4 for "Office Supply"	\$1,000
10	8/1/2025	Check to Individual 4 for "July PMT"	\$1,000
11	8/1/2025	Check to Individual 7 including "July Pmt + Commission (\$1000)"	\$1,000
12	9/3/2025	Check to Individual 7 including "1099 Payroll (\$1000 commission)"	\$1,000

All in violation of Title 42, United States Code, Section 1320a-7b(b)(2)(B), and Title 18, United States Code, Section 2.

Forfeiture Allegation

15. The allegations contained in Counts 1 through 12 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 18, United States Code, Sections 982(a), 981(a)(1)(C) and Title 28, United States Code, Section 2461(c).

16. Upon conviction of the violations alleged in Counts 1 through 12 of this Indictment involving the commission of violations of Title 42 United States Code,

Section 1320a-7b(b)(2)(A) and Title 42, United States Code, Section 1320a-7b(b)(2)(B), defendant **MOHAMED ELIAS OMER**, pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(7), and Title 28, United States Code, Section 2461(c), shall forfeit any and all of the defendant's right, title and interest in all property constituting and derived from any proceeds the defendant obtained directly and indirectly as a result of such offense, including, but not limited to: a money judgment in the amount of proceeds obtained by the defendant.

17. If any of the property described above, as a result of any act or omission of the defendant:

- a) cannot be located upon the exercise of due diligence;
- b) has been transferred or sold to, or deposited with, a third party;
- c) has been placed beyond the jurisdiction of the Court;
- d) has been substantially diminished in value; or
- e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 982(b), to seek forfeiture of any other property of said

defendant up to the value of the forfeitable property.

A TRUE BILL

Ink signature on file in Clerk's Office
FOREPERSON

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