

Joseph J. Mirci DDS - 001, Peninsula Family Dental Center LLC - 001,
Joseph J. Mirci DMD LLC - 001

1 Count II - AS 11.46.120
2 Theft In The First Degree
3 Joseph J. Mirci DDS - 002, Peninsula Family Dental Center LLC - 002,
4 Joseph J. Mirci DMD LLC - 002
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6 Count III - AS 47.05.210(a)(1)Fel C
7 Medical Assistance Fraud
8 Joseph J. Mirci DDS - 003, Peninsula Family Dental Center LLC - 003,
9 Joseph J. Mirci DMD LLC - 003
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11 Count IV - AS 47.05.210(a)(1)Fel C
12 Medical Assistance Fraud
13 Joseph J. Mirci DDS - 004, Peninsula Family Dental Center LLC - 004,
14 Joseph J. Mirci DMD LLC - 004
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16 Count V - AS 47.05.210(a)(1)Fel C
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18 Joseph J. Mirci DDS - 005, Peninsula Family Dental Center LLC - 005,
19 Joseph J. Mirci DMD LLC - 005
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24 Joseph J. Mirci DMD LLC - 006
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26 Count VII - AS 47.05.210(a)(1)Fel C
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31 Count VIII - AS 47.05.210(a)(1)Fel C
32 Medical Assistance Fraud
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Count XVI - AS 47.05.210(a)(1)Fel C
Medical Assistance Fraud
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Medical Assistance Fraud
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Count XVIII - AS 47.05.210(a)(1)Fel C
Medical Assistance Fraud

Joseph J. Mirci DDS - 018, Peninsula Family Dental Center LLC - 018,
Joseph J. Mirci DMD LLC - 018

Count XIX - AS 47.05.210(a)(1)Fel C
Medical Assistance Fraud

Joseph J. Mirci DDS - 019, Peninsula Family Dental Center LLC - 019,
Joseph J. Mirci DMD LLC - 019

Count XX - AS 47.05.210(a)(1)Fel C
Medical Assistance Fraud

Joseph J. Mirci DDS - 020, Peninsula Family Dental Center LLC - 020,
Joseph J. Mirci DMD LLC - 020

Count XXI - AS 47.05.210(a)(1)Fel C
Medical Assistance Fraud

Joseph J. Mirci DDS - 021, Peninsula Family Dental Center LLC - 021,
Joseph J. Mirci DMD LLC - 021

THE OFFICE OF SPECIAL PROSECUTIONS CHARGES:

COUNT I

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC engaged in conduct constituting a scheme to defraud one or more persons of \$10,000 or to obtain \$10,000 or more from one or more persons by false or fraudulent pretense, representation, or promise and obtained property or services in accordance with the scheme; to wit: \$83,985.97 billed to Medicaid for services which were not provided, were not medically necessary, did not meet Medicaid's requirements necessary to bill, were below the standard of care, were not substantiated by patient records, and/or were billed at a higher level of service than actually performed.

All of which is a class B Felony offense being contrary to and in violation of AS 11.46.600(a)(2) and against the peace and dignity of the State of Alaska.

COUNT II

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC committed the crime of theft and the value of the property or services was \$25,000 or more; to wit: \$83,985.97 billed to Medicaid for services which were not provided, were not medically necessary, did not meet Medicaid's requirements necessary to bill, were below the standard of care, were not substantiated by patient records, and/or were billed at a higher level of service than actually performed.

All of which is a class B Felony offense being contrary to and in violation of AS 11.46.120 and against the peace and dignity of the State of Alaska.

COUNT III

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$10,580.56 billed to Medicaid for recipient A.B.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT IV

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for

property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$9,725.00 billed to Medicaid for recipient J.R.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT V

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$8,116.48 billed to Medicaid for recipient B.P.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT VI

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$7,058.83 billed to Medicaid for recipient S.F.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT VII

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA

1 FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
2 submitted or authorized the submission of a claim to a medical assistance agency for
3 property, services, or a benefit with reckless disregard that the claimant is not entitled to
4 the property, services, or benefit; to wit: \$6,863.02 billed to Medicaid for recipient T.W.

5 All of which is a class C Felony offense being contrary to and in violation of AS
6 47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

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COUNT VIII

That in the Third Judicial District, State of Alaska, on or about January 1, 2021
through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
submitted or authorized the submission of a claim to a medical assistance agency for
property, services, or a benefit with reckless disregard that the claimant is not entitled to
the property, services, or benefit; to wit: \$5,589.37 billed to Medicaid for recipient B.D.

All of which is a class C Felony offense being contrary to and in violation of AS
47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

COUNT IX

That in the Third Judicial District, State of Alaska, on or about January 1, 2021
through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
submitted or authorized the submission of a claim to a medical assistance agency for
property, services, or a benefit with reckless disregard that the claimant is not entitled to
the property, services, or benefit; to wit: \$5,446.00 billed to Medicaid for recipient D.D.

All of which is a class C Felony offense being contrary to and in violation of AS
47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

COUNT X

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$4,794.00 billed to Medicaid for recipient J.M.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT XI

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$3,734.08 billed to Medicaid for recipient S.B.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT XII

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$3,501.00 billed to Medicaid for recipient J.D.

1 All of which is a class C Felony offense being contrary to and in violation of AS
2 47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

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4 **COUNT XIII**

5 That in the Third Judicial District, State of Alaska, on or about January 1, 2021
6 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
7 FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
8 submitted or authorized the submission of a claim to a medical assistance agency for
9 property, services, or a benefit with reckless disregard that the claimant is not entitled to
10 the property, services, or benefit; to wit: \$3,468.00 billed to Medicaid for recipient R.M.

11 All of which is a class C Felony offense being contrary to and in violation of AS
12 47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

13 **COUNT XIV**

14 That in the Third Judicial District, State of Alaska, on or about January 1, 2021
15 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
16 FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
17 submitted or authorized the submission of a claim to a medical assistance agency for
18 property, services, or a benefit with reckless disregard that the claimant is not entitled to
19 the property, services, or benefit; to wit: \$3,291.88 billed to Medicaid for recipient I.W.

20 All of which is a class C Felony offense being contrary to and in violation of AS
21 47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

22 **COUNT XV**

23 That in the Third Judicial District, State of Alaska, on or about January 1, 2021
24 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
25 FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
26 submitted or authorized the submission of a claim to a medical assistance agency for

property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$2,991.00 billed to Medicaid for recipient T.V.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT XVI

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$2,915.71 billed to Medicaid for recipient M.K.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT XVII

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$2,782.00 billed to Medicaid for recipient S.W.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

COUNT XVIII

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA

1 FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
2 submitted or authorized the submission of a claim to a medical assistance agency for
3 property, services, or a benefit with reckless disregard that the claimant is not entitled to
4 the property, services, or benefit; to wit: \$1,219.00 billed to Medicaid for recipient J.F.

5 All of which is a class C Felony offense being contrary to and in violation of AS
6 47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

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COUNT XIX

That in the Third Judicial District, State of Alaska, on or about January 1, 2021
through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
submitted or authorized the submission of a claim to a medical assistance agency for
property, services, or a benefit with reckless disregard that the claimant is not entitled to
the property, services, or benefit; to wit: \$824.00 billed to Medicaid for recipient D.K.

All of which is a class C Felony offense being contrary to and in violation of AS
47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

COUNT XX

That in the Third Judicial District, State of Alaska, on or about January 1, 2021
through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA
FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly
submitted or authorized the submission of a claim to a medical assistance agency for
property, services, or a benefit with reckless disregard that the claimant is not entitled to
the property, services, or benefit; to wit: \$586.00 billed to Medicaid for recipient M.J.

All of which is a class C Felony offense being contrary to and in violation of AS
47.05.210(a)(1)Fel C and against the peace and dignity of the State of Alaska.

COUNT XXI

That in the Third Judicial District, State of Alaska, on or about January 1, 2021 through September 31, 2025, at or near Soldotna, JOSEPH J. MIRCI, DDS, PENINSULA FAMILY DENTAL CENTER LLC and JOSEPH J. MIRCI DMD LLC knowingly submitted or authorized the submission of a claim to a medical assistance agency for property, services, or a benefit with reckless disregard that the claimant is not entitled to the property, services, or benefit; to wit: \$500.04 billed to Medicaid for recipient Z.C.

All of which is a class C Felony offense being contrary to and in violation of AS 47.05.210(a)(1) Fel C and against the peace and dignity of the State of Alaska.

The undersigned swears under oath this Information is based on a review of Medicaid Fraud Control Unit (MFCU) Report #0695253 submitted to date, as well as from discussions with MFCU Investigator Jeanette Bartz.

The Alaska Medicaid Fraud Control Unit (MFCU) is a criminal prosecution component within the Attorney General's Office in the Criminal Division of the Alaska Department of Law. The MFCU investigates various types of fraud committed under the Alaska Medicaid Program which is administered by the Alaska Department of Health. This case involves fraudulent billing to the Alaska Medicaid Program. This charging document will illustrate some of the illicit methods JOSEPH MIRCI, DDS (MIRCI), PENINSULA FAMILY DENTAL CENTER LLC (FAMILY DENTAL), and JOSEPH J. MIRCI DMD LLC (MIRCI LLC) used to defraud the Alaska Medicaid Program.

MIRCI is a dentist who owns a practice in Soldotna. MIRCI worked at FAMILY DENTAL for several years while it was owned by another dentist, John Brady. In 2023, MIRCI bought Brady's dental practice and became 100% owner of FAMILY DENTAL. On May 15, 2023, MIRCI created a new LLC, MIRCI LLC. Then, on December 29, 2023, MIRCI licensed his new business, MIRCI LLC, as a dental office. After he registered his new business, MIRCI voluntarily dissolved the old LLC, FAMILY DENTAL, on March

11, 2024. MIRCI is 100% owner of MIRCI LLC. MIRCI LLC is the legal name of MIRCI's dental practice although the practice continues to do business under the name FAMILY DENTAL.

Investigation

On October 22, 2018, an anonymous former employee (complainant) of PENINSULA FAMILY DENTAL CENTER (FAMILY DENTAL) contacted the MFCU and informed the MFCU about an incident which occurred during a procedure done by JOSEPH MIRCI, DDS (MIRCI). The complainant told the MFCU that an eight-year-old Medicaid recipient, C.C., came to FAMILY DENTAL for a tooth extraction. During the procedure, MIRCI thought the patient was moving too much and increased the amount of nitrous oxide given to the patient. The dental assistant present during the procedure was concerned about the amount of nitrous oxide given to the child because the child appeared to be having a negative reaction to the gas and turned the nitrous oxide down. MIRCI cursed at the assistant and turned the nitrous oxide back up. C.C. then went into convulsions and seizures. MIRCI then billed Medicaid for the nitrous oxide and behavioral management, which the complainant stated could not be billed together.

The complainant also informed the MFCU of another incident that occurred three weeks earlier, when recipient S.C. came to FAMILY DENTAL to have a crown replaced. The crown was under warranty, and S.C. was told there would be no charge. The appointment was scheduled and in large letters, the system read "NO CHARGE." MIRCI told the front desk to delete this statement, and bill Medicaid for the crown replacement. The complainant told the MFCU that FAMILY DENTAL was not required to send x-rays to Medicaid to verify why the recipient needs a crown, and MIRCI was famous for bad crowns.

Additionally, the complainant told the MFCU the following: 60 to 70% of FAMILY DENTAL's patients are Medicaid recipients. MIRCI told the staff at FAMILY DENTAL no extraction is a "simple extraction", and all are surgical unless he tells them

1 otherwise. MIRCI charges for more expensive procedures which do not actually occur.
2 MIRCI does more partials and dentures than anyone else the former employee has ever
3 seen, especially in young adults. Because MIRCI gets a commission from x-rays, Medicaid
4 recipients get more expensive panoramic x-rays yearly, when non-Medicaid patients only
5 get panoramic x-rays done every ten years.

6 After learning of these incidents, the MFCU began an investigation into MIRCI
7 and FAMILY DENTAL. MFCU Investigator Bartz was assigned to the case. Inv. Bartz
8 interviewed C.C.'s parents. C.C.'s father told Inv. Bartz staff at FAMILY DENTAL
9 informed him that he was not allowed to be present during the procedure and "couldn't go
10 back with him." C.C.'s mother said, "she could hear him screaming from the waiting room
11 because he was in physical pain and [the staff] were not very caring with him." Neither
12 parent was informed C.C. had an adverse reaction to the nitrous oxide.

13 On October 24, 2018, Inv. Bartz spoke to Brooke Endsley, a former Dental
14 Assistant at FAMILY DENTAL. Endsley told Inv. Bartz she was aware of the incident
15 with C.C. although she was not present during the procedure. Endsley also said MIRCI
16 tries to use all the Medicaid money he can. She explained that MIRCI did many full and
17 partial dentures and pushed dentures on patients, even when it involved removing good
18 teeth. Endsley said she thought most of the work MIRCI did was dentures.

19 On October 26, 2018, Inv. Bartz spoke to Vicky Stewart, a former front desk and
20 administrative employee at FAMILY DENTAL. Stewart told Inv. Bartz the following
21 statements. MIRCI would take the route slips which contained patient names and what had
22 been done to his office at the end of each day and compare them to what was billed. He
23 would tell the staff if he wanted anything added to the billing. This concerned Stewart
24 because in the past she told MIRCI that once the patient walks out of the clinic, MIRCI
25 was not supposed to add charges to what they had done, regardless of whether the patient
26 was a Medicaid patient or had private insurance.

27 On October 30, 2018, Inv. Bartz interviewed Cindy Sanduh, a former Receptionist
at FAMILY DENTAL about what she witnessed at the practice. Sandulah said MIRCI "flat

1 out wanted us to do illegal things.” MIRCI would schedule a person for one thing, and then
2 at the end would change what he did, put in a different description and put in a different
3 code. Sandulah stated “it was just totally rigged.” She told Inv. Bartz MIRCI was upcoding
4 charges. For example, if someone came in for a chipped tooth or a filling, he would exhaust
5 the money Medicaid would pay for their treatment on the first visit, which Sandulah said
6 was \$1,150. MIRCI would purposefully charge the maximum or go over it and the patients
7 would have to pay out of pocket.

8 On November 5, 2018, a former Manager of FAMILY DENTAL, Kathy Smolnik,
9 told Inv. Bartz she knew about the incidents involving C.C. C.C.’s parents were not told
10 what happened during the procedure. Smolnik also was aware of MIRCI’s billing. Smolnik
11 stated MIRCI would call the day before an appointment to find out what was left on a
12 patient’s benefits to use every penny. MIRCI would charge for panorama x-rays on every
13 patient whether they needed it or not. When Medicaid billing rules changed on July 1,
14 2018, so residual tooth removal was no longer covered unless it was emergent, MIRCI had
15 the assistants change the coding so all residual tooth removals would show as “surgical
16 extractions.” Medicaid also changed the rules about dentures and now required that a
17 dentist wait 8 weeks after extracting the teeth before doing the impression for the denture.
18 Smolnik told Inv. Bartz MIRCI still took the impression before extracting the teeth and
19 would leave a note for staff to bill 8 weeks later.

20 Inv. Bartz requested information from the Division of Corporations, Business and
21 Professional Licensing (Professional Licensing), regarding any investigations it had
22 involving MIRCI. Professional Licensing provided information to the MFCU regarding
23 numerous complaints received regarding MIRCI. One complaint alleged MIRCI
24 anesthetized a patient for hours and performed work she had not agreed would be done. In
25 addition to the dental work the patient did not consent to, MIRCI damaged the enamel on
26 the patient’s teeth. Two Board of Dental Examiners members reviewed the case and found
27 evidence of overtreatment and overbilling. Another complaint alleged MIRCI completed a
filling, and while doing so, he ground down other teeth that were not part of the treatment

1 plan. A third complainant told Professional Licensing MIRCI fitted her for dentures while
2 she had abscesses, stitching and swelling on her mouth following an unspecified dental
3 procedure. The dentures did not fit and after several attempts to adjust them with no
4 success, MIRCI released her as a patient.

5 In October 2019, Inv. Bartz obtained records regarding the services provided at
6 FAMILY DENTAL and procedures conducted by MIRCI. After receiving records related
7 to some Medicaid recipients from FAMILY DENTAL, Inv. Bartz contacted multiple
8 experts to review the patient files. Dr. Wells noted in his review of some patient files that
9 MIRCI routinely billed CDT Code D7140, surgical extractions, for extractions which in
10 the chart notes did not meet the definition of "surgical extraction." Department of Health,
11 Health Management Services (HMS) also conducted a review of a selection of patient files.
12 HMS determined that out of the 125 procedures performed on 7 adult patients, 70
13 procedures fell short of acceptable and were outside the standards of care. Of the 144
14 procedures they reviewed on 5 patients ranging from 8 to 21 years of age, 107 of the
15 procedures fell short of acceptable and were outside the standard of care. HMS also made
16 the following observations about the patterns of practice at the facility:

- 17 1. Dentures, removable partial dentures, and crowns were billed at the impression
18 appointment and not at delivery as required by regulations.
- 19 2. Routine extractions were regularly billed as surgical extractions resulting in a higher
20 reimbursement fee and failing to meet applicable professional billing standards. In
21 addition, alveoloplasty procedures were billed with the surgery without detailed,
22 specific support documentation of dental/medical necessity.
- 23 3. In the records reviewed, the documentation for nitrous oxide sedation was
24 inadequate for the professional standard of care required for this service.
- 25 4. In the charts and radiographs reviewed, there were instances where there were no
26 radiographic evidence or images showing the need for the restorations and the
27 dental/medical necessity.

1 5. In the documents reviewed for the seven patients, there are numerous radiographs
2 lacking dates which is below the standard of care for x-ray documentation.

3 6. In the documents reviewed, there were numerous instances of charges on patients'
4 ledgers not matching billed amounts on the attached spreadsheet.

5 Although these reviews were informative, the investigation continued as a more thorough
6 examination of MIRCI's procedures was needed to bring criminal charges.

7 In April 2025, MFCU Forensic Accountant Margaret Summers pulled and
8 examined recent Medicaid claims from FAMILY DENTAL. F.A. Summers noticed that
9 concerning billing patterns observed earlier in the investigation were still occurring, but
10 with new patients. Using the Medicaid claims data, F.A. Summers created a list of 12
11 Medicaid recipients who had recently received dental services from MIRCI. On April 30,
12 2025, Inv. Bartz asked the Department of Health (DOH) if it would obtain the records for
13 these 12 recipients from FAMILY DENTAL. On June 2, 2025, DOH notified Inv. Bartz it
14 had the records she requested. Inv. Bartz retrieved the paper charts from the DOH.

15 On August 28, 2025, Inv. Bartz asked Dr. Winthrop if he would do an expert
16 review of the 12 recipients' records. On September 10, 2025, Dr. Winthrop submitted his
17 initial report. In his review, Dr. Winthrop found MIRCI routinely billed simple extractions
18 as surgical extractions. Dr. Winthrop also noted MIRCI billed for more surfaces on fillings
19 than he performed. Dr. Winthrop also found lacking documentation of medical necessity,
20 anesthesia, sedation, patient concerns, patient consent, and medical conditions and
21 medications. MIRCI's documentation was below the standard of care expected of a dentist.
22 Dr. Winthrop wrote, "[n]ote templates seem to be applied carelessly, and were left
23 uncorrected. I was often left wondering if templated notes were an accurate account of the
24 procedure, or simply narratives to justify billing."

25 F.A. Summers compiled a list of 8 additional Medicaid recipients who received
26 services from MIRCI at FAMILY DENTAL. On October 8, 2025, Inv. Bartz sent a records
27 request to FAMILY DENTAL asking for all records from January 1, 2021 to October 8,
2025, from the already reviewed 12 Medicaid recipients and the 8 additional recipients

1 F.A. Summers identified. Because Inv. Bartz realized that the original patient charts
2 obtained by DOH had blurry x-rays which were scanned in PDF form and many were
3 difficult to read, Inv. Bartz requested that all radiographs be provided to the MFCU in a
4 legible format. FAMILY DENTAL responded with the requested records on November
5 20, 2025.

6 On December 12, 2025, Dr. Winthrop began his review of these records. Three
7 days later, he informed Inv. Bartz that several of the patients were missing x-rays that the
8 files indicated should exist. Inv. Bartz contacted FAMILY DENTAL who informed Inv.
9 Bartz there was another imaging system the employee who originally collected the records
10 had not known about. FAMILY DENTAL then provided the missing x-rays to the MFCU,
11 who sent them to Dr. Winthrop.

12 Dr. Winthrop sent the results of his second review to Inv. Bartz on January 21,
13 2026. Dr. Winthrop told Inv. Bartz in an interview regarding his findings that MIRCI
14 continued to bill surgical extractions for non-surgical work. MIRCI also billed for extra
15 surfaces on teeth that were not actually treated or did not need treatment. Dr. Winthrop
16 noticed another issue in MIRCI's documentation of anesthetic. Of all of the patients
17 reviewed, only one had a case note regarding the amount of anesthetic used on the patient.
18 Another problem was that the x-rays in patient charts often had overlapping bitewings
19 which can give false positives and negatives, making it appear that cavities existed when
20 they did not and hiding cavities that did exist. Dr. Winthrop explained it is impossible to
21 diagnose accurately with the images present in the patient charts. In general, Dr. Winthrop
22 found there was a lot of sloppiness in diagnoses and charting. In his second review, Dr.
23 Winthrop provided a thorough analysis of MIRCI's treatment of each recipient to Inv.
24 Bartz with detailed findings for each procedure and claim.

25 On June 3, 2026, Inv. Bartz interviewed several of the Medicaid recipients whose
26 records were reviewed by Dr. Winthrop. Recipient A.B. told Inv. Bartz the following: A.B.
27 only dealt with MIRCI for the extraction of his teeth and dentures. When A.B. went to
FAMILY DENTAL, he only wanted a partial denture because he still had good teeth on

1 the right side of his mouth. MIRCI told A.B., in front of his wife, it would be easier for
2 everyone to just extract all of his teeth and MIRCI would not do any work unless A.B.
3 signed a consent agreeing to extract all of his teeth.

4 A.B. signed the consent and MIRCI performed the procedure. MIRCI informed
5 A.B. before the procedure that removing all of his teeth would mostly be easy extractions
6 except for one or two difficult teeth. A.B. was not put under any anesthetic until he passed
7 out from the pain of having his teeth pulled. MIRCI did not do a good job closing up his
8 mouth and to this day, A.B. has open flaps in his gums. A.B. is still in a little bit of pain.
9 MIRCI gave A.B. dentures, but they did not fit and would cause his gums to bleed and
10 hurt. A.B. went back to FAMILY DENTAL and tried to have them fixed, but after three
11 attempts, MIRCI told him not to come back. A.B. cannot use his dentures from MIRCI and
12 now has no useable dentures or teeth.

13 Medicaid recipient R.M. told Inv. Bartz his procedure with MIRCI went okay, but
14 he had to go back to FAMILY DENTAL a few times because his upper denture did not fit
15 right. R.M. stated the upper denture fits now, but he has to wear extra strength adhesive, or
16 it won't stay in his mouth, so he doesn't use it much. R.M. told Inv. Bartz MIRCI informed
17 R.M. Medicaid would pay for everything, but he ended up paying a lot of money out of
18 pocket.

19 Recipient T.L. told Inv. Bartz she is trying really hard to save up \$16,000 so she
20 can pay another dentist in Anchorage to fix the work MIRCI did and "it makes a lot of
21 sense he's under investigation." She stated MIRCI took some teeth out that she didn't
22 consent to and weren't supposed to be taken out. When she asked MIRCI why he pulled
23 them, he would just respond "we talked about this." T.L. was told she was getting a filling,
24 but instead MIRCI pulled the tooth. T.L. thinks MIRCI was overbooked because he had
25 three patients in chairs in the back of the clinic when he was doing her procedures. T.L.
26 said "he would jump to one and then jump to another, and I think that's how he pulled my
27 tooth out that wasn't supposed to be pulled out."

1 T.L. told Inv. Bartz when MIRCI pulled her teeth it caused her jaw to become
2 misaligned and her sinus “fell down.” When T.L. told MIRCI about pain, MIRCI told her
3 it takes time to heal. T.L. saw a new dentist in Anchorage who informed her that the repair
4 she needs cost \$16,000, which T.L. must pay out of pocket. After T.L. pays for the repair,
5 T.L. said she will have paid \$32,000 out of pocket between MIRCI and her new dentist.

6 On June 16, 2026, Medicaid recipient S.W. said she switched to a new dentist who
7 had to remove all of the filings MIRCI did and redo them because they were placed wrong.
8 S.W. had dental filling in her gums and in places it wasn’t supposed to be. S.W. also stated
9 she did not believe she needed the partial root canal MIRCI did and when MIRCI did the
10 treatment, he ground her tooth down so low they had to take the crown off. S.W. is seeing
11 a new dentist who fixed the damage MIRCI did to her teeth and is doing well now.

12 Inv. Bartz also reached out to some of the former staff at FAMILY DENTAL who
13 were present at the time these patients were treated to speak to them about what they
14 observed. On June 4, 2026, Inv. Bartz spoke to Wendy Baker, a former receptionist with
15 MIRCI. Baker told Inv. Bartz her time at FAMILY DENTAL was “short and ugly.” After
16 she was hired, Baker looked into the billing and learned the clinic was a year behind in
17 billing Medicaid claims. Baker would input claims numbers given to her by the dental
18 assistants and then MIRCI would sit over her shoulder and redo it. Baker stated MIRCI
19 would change what was there and sometimes add more items. Baker said patients would
20 come in for one service, then MIRCI would add more items to do. The patients would ask
21 Baker why their bills were so high. It seemed like the patients were getting more work done
22 than they came in for. Baker heard conversations in the clinic about work being done on
23 patients which was not needed, and the dental assistants were asking why some things were
24 being done since they were not what the patient came in for.

25 On June 8, 2026, Inv. Bartz spoke to Brandi Whitehead, a former hygienist at
26 FAMILY DENTAL. Whitehead told Inv. Bartz there were times when Whitehead thought
27 MIRCI failed to perform work at the level of quality needed for the patient. Whitehead saw
MIRCI leave poor margins on crowns and fillings which can aggravate the gums, and

1 excess cement leftover teeth after procedures. Brandi said the biggest “hiccup” she saw
2 was the way MIRCI pushed for a crown when the tooth may have been fixed with a filling.
3 Whitehead said she saw MIRCI push for a crown often.

4 On June 12, 2026, Inv. Bartz spoke to MIRCI telephonically. MIRCI described
5 various dental procedures to Inv. Bartz and stated a simple extraction is one which you can
6 “pop out with forceps.” When Inv. Bartz asked MIRCI about the high number of surgical
7 extractions he billed for, MIRCI explained that even on front teeth he uses a “sharp
8 luxator,” creates a “long flap” and uses a scalpel to clean out the tissue. He then removes
9 the bone with the luxator since “wiggly teeth have a higher likelihood of the root tip
10 breaking off” and there “is no specification on how bone is supposed to be removed.” Inv.
11 Bartz then asked if he was taught about the different methods of extraction in dental school.
12 MIRCI replied he “didn’t recall specific differences in types of extractions.” When told
13 another dentist had informed Inv. Bartz front teeth and mobile teeth were usually simple
14 extractions, MIRCI replied “he had no input on what the other dentist said.”

15 Inv. Bartz asked MIRCI about his work with dentures and if some patients asked
16 for partial dentures instead of full dentures. MIRCI told Inv. Bartz if a patient wants to do
17 partials and have sound enough teeth, then he will do them. He talks to them about needing
18 to be committed to staying on top of cleanings and taking care of partials. Inv. Bartz asked
19 if patients waited a long time to get their dentures to fit or had to come back to FAMILY
20 DENTAL repeatedly. MIRCI told Inv. Bartz that for the most part he has had good success
21 getting dentures to fit right. Inv. Bartz asked if MIRCI has ever turned a patient away when
22 they have come back multiple times trying to get their dentures to fit right. MIRCI replied
23 that it had happened with a woman once, but he had gotten the dentures to have great
24 suction and he went to great lengths to take care of the patient.

25 MIRCI told Inv. Bartz he doesn’t double-check his notes and the billing. He has
26 the assistants sign the notes, although if a note has his name, he signed it. He reviews the
27 notes when they come back and he takes a look at what is going on. However, most of the

1 time the assistants put in the notes and sign them. MIRCI then stated he never had a patient
2 come back and tell him they had to go elsewhere to have work he did redone.

3 Inv. Bartz asked MIRCI how he manages being the only dentist at FAMILY
4 DENTAL, with such a full schedule, seeing multiple patients at the same time. He replied
5 he manages his time and he doesn't leave patients hanging out with their mouths open. He
6 is very busy. When asked if MIRCI has ever made a mistake because he was too busy, he
7 replied that he has not.

8 MIRCI told Inv. Bartz that if a patient thought they were supposed to have a filling
9 or a crown but needed a tooth pulled he would talk with the patient, discuss it, document it
10 and get consent. He told Inv. Bartz he is not "willy-nilly" pulling teeth. When Inv. Bartz
11 asked if the consent would be on a separate form, MIRCI informed Inv. Bartz that the
12 protocol would be to talk to the patient and if in agreement, they would have those teeth
13 added to the original consent form, not a second consent form.

14 After interviewing MIRCI, Inv. Bartz reviewed the patient records of T.L and
15 A.B., who both told Inv. Bartz MIRCI pulled teeth they did not believe needed to be
16 removed. There was no signed consent in T.L.'s file agreeing to have the tooth which T.L.
17 believed would only receive a filling removed. A review of A.B.'s records shows a similar
18 story. Although A.B. reported to Inv. Bartz that he consented after being told he would be
19 turned away if he didn't agree to have every tooth in his mouth removed, there was no
20 record in the file that A.B consented to the removal of all of his teeth. Dr. Winthrop's
21 review of A.B.'s case found there was no medical necessity for a complete denture and
22 seven of A.B.'s lower teeth could have been easily retained. Dr. Winthrop noted there was
23 no pathology for those teeth noted on the earlier treatment plan and the rational for
24 treatment plan change was undocumented. Dr. Winthrop stated he saw no post-operative
25 instructions for sinus exposure or recording of a dosage of local anesthetics used during
26 the procedure in the patient's notes and he had standard of care concerns about A.B.'s
27 treatment. The consent in A.B.'s file, specifically, did not include the healthy teeth
identified by Dr. Winthrop that MIRCI later removed.

1 Inv. Bartz and F.A. Summers compiled the information they gathered and
2 reviewed the Medicaid claims with Dr. Winthrop's expert report.

3 **Conclusion**

4 The investigation conducted by the MFCU revealed the following:

5 From January 1, 2021 and September 31, 2025, MIRCI, FAMILY DENTAL, and
6 MIRCI LLC billed a total of \$12,003,196.04 to the Alaska Medicaid Program. Of that
7 amount, the Alaska Medicaid Program paid \$4,421,415.54. MIRCI, FAMILY DENTAL
8 and MIRCI LLC billed a total \$304,656.83 to the Alaska Medicaid Program for the twenty
9 recipients reviewed in this case, of which Medicaid paid \$133,968.03.

10 From January 1, 2021 and September 31, 2025, MIRCI, FAMILY DENTAL, and
11 MIRCI LLC fraudulently billed \$83,985.97 to the Alaska Medicaid Program for dental
12 services which did not occur, were not medically necessary, did not meet Medicaid
13 requirements, were below the standard of care, were not substantiated by patient records,
14 and/or were billed at a higher level of service than actually performed. Of that amount, the
15 fraudulent amount billed, Medicaid paid \$24,619.00.

16 **BAIL INFORMATION**

17 Per the Alaska Public Safety Information Network, the JOSEPH MIRCI has no
18 convictions in the State of Alaska.

19 Dated at Anchorage, Alaska, this 22nd day of June, 2026.

20 CORI M. MILLS
21 ACTING ATTORNEY GENERAL

22 By:

23 

24 _____
25 Heather V. Dyreng
26 Assistant Attorney General
27 Alaska Bar No. 2511103