

FILED

JUN 25 2018

CLERK OF THE COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CRIMINAL NO. 18-cr-300 <u>34</u>
)	VIO: 18 U.S.C. § 1347(a)(2)
ERICA MILLER,)	
)	
Defendant.)	
)	

INFORMATION

THE UNITED STATES ATTORNEY CHARGES:

- At all times material herein, the "Home Services Program (HSP)" was a "Medicaid Waiver" program in the State of Illinois administered by the Illinois Department of Human Services (DHS). Medicaid Waiver programs enable states to use both state and federal Medicaid funds to pay for services related to medical care that Medicaid would not ordinarily cover.
- The operational responsibility for the HSP, with minor exceptions, rested with the Division of Rehabilitation Services (DORS), which is an agency within the DHS. At all times relevant, the Centers for

Medicare and Medicaid Services, which is an agency within the United States Department of Health and Human Services, provided approximately half of the money funding this program.

3. Through the HSP, the State of Illinois provided funding for services to individuals with significant disabilities so that they could remain in their homes and live as independently as possible. The HSP refers to these individuals as “customers.” The HSP provides such individuals with a “Personal Assistant,” hereinafter referred to as PA. Through the HSP, a qualified individual can hire one or more PAs, who are to perform or assist those with disabilities in performing common tasks such as household tasks, shopping, personal care, incidental health care tasks, and monitoring to ensure the health and safety of the customer. PAs are to be hired by and report directly to the customer or the customer’s family member, but they are paid by the State of Illinois with Medicaid funds.

4. One of the persons eligible for assistance through the HSP was “JG,” an acquaintance of ERICA MILLER. On or about April 21, 2010, ERICA MILLER applied with DORS to be the PA for “JG.” On or about April 21, 2010, ERICA MILLER signed an “Individual Provider

Payment Policies Form” and submitted it to DORS. The document lists ERICA MILLER as the “Individual Provider,” another term used for a PA, and “JG” as the “Customer.” The document contains the following provisions:

- *Home Services Program (HSP) customers and Individual Providers are responsible for accurately completing and signing all Individual Provider time sheets. Completion of the time sheet will require both parties to sign and verify the information contained on it is correct. Fraudulently completing these documents will result in a formal investigation by the Medicaid Task Force, with possible criminal prosecution by the Illinois State Police (ISP).*
- *Individual Providers can only be paid for the hours they worked for the customer per the HSP Service Plan. Billing for hours not worked constitutes Medicaid fraud.*
- *Individual Providers cannot charge the HSP for the same hours worked when working another job....This constitutes fraud and will be prosecuted as such.*

The following statement appears above the signature block on the document:

- *I acknowledge that the above information has been reviewed and is understood.*

5. From on or about June 16, 2010, through on or about November 5, 2015, ERICA MILLER submitted time sheets to DORS that contained false information, as follows.

6. From at least on or about June 11, 2010, through at least on or about November 5, 2015, in the Central District of Illinois, the defendant,

ERICA MILLER,

knowingly and willfully executed a scheme and artifice to obtain, by means of materially false and fraudulent pretenses, representations, and promises, money and property owned by and under the custody and control of the Illinois Medicaid program, a health care benefit program as defined in Title 18, United States Code, Section 24(b), in connection with the payment for health care benefits, items, and services.

In violation of Title 18, United States Code, Section 1347(a)(1).

s/Gregory M. Gilmore

JOHN E. CHILDRESS
UNITED STATES ATTORNEY
GMG