

SUPPRESSED

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANN MARIE SHEPPARD,

Defendant.

Criminal No. 15-30094-NJR

Title 18, United States Code
Sections 1341 and 1347

FILED

JUN 02 2015

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS
BENTON OFFICE

INDICTMENT

THE GRAND JURY CHARGES:

1. **ANN MARIE SHEPPARD** defrauded the State of Illinois Medicaid Home Services Program by falsely claiming and taking payments for personal assistant services not actually performed.

The State of Illinois pays a personal assistant hourly wages for performance of services for a qualified beneficiary. The qualified beneficiary must have a written Employment Agreement with the personal assistant and/or an Individual Provider Payment Policies form. The qualified beneficiary must have a Service Plan listing all services to be provided. In order for the personal assistant to receive payment from the State of Illinois, the beneficiary must submit a Home Services Program Time Sheet form listing the hours worked by the personal assistant and signed by both the beneficiary and personal assistant.

2. The Home Services Program is a Medicaid Waiver Program which is designed to provide a disabled individual who, with assistance in performing daily living activities in the home, would not require similar care in a nursing home. The Illinois Department of Human Services, Division of Rehabilitation Services (DORS) administers the program. Medicaid Waiver programs enable states to use both state and federal Medicaid funds to pay for services related to medical care that

would not ordinarily be covered under Medicaid. Medicaid is a health care benefit program that is federally funded and affects interstate commerce.

3. On June 12, 2013, **SHEPPARD** signed a DHS Division of Rehabilitation Services (DORS) Individual Provider Payment Policies form, acknowledging her awareness of DORS Home Services Program policies including:

- *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 can only be paid for hours and tasks performed in the customer's home unless the task must be completed outside the home such as laundry due to no facilities in the home, banking, and grocery shopping.*
- *Individual Providers are not allowed to subcontract. Subcontracting means letting someone else work in your place, putting the time on your time sheet and then paying them yourself. This is not only an illegal practice but also causes problems with Social Security withholding. Each Individual Provider will only be paid for services which he or she provided directly to the customer.*

4. From on or about June 30, 2013 through on or about April 30, 2015, **SHEPPARD**, in furtherance of a scheme to defraud the Medicaid Home Services Program for the State of Illinois, completed Home Service Program Time Sheets which she falsely claimed personal assistant services for customer JS that were not provided because she was out of the country to Costa Rica and otherwise not with and providing for customer JS. **SHEPPARD** signed each timesheet under the following printed statement:

I certify that the above information is true and in accordance with the Individual Provider Payment Policies (IL488-2252). I understand falsification of any information submitted on this form could lead to criminal prosecution.

COUNT 1

Health Care Fraud

5. Paragraphs 1 through 4 are re-alleged and incorporated in Count 1.
6. From on or about June 30, 2013 through on or about April 30, 2015, in Saint Clair County, within the Southern District of Illinois,

ANN MARIE SHEPPARD,

defendant, did knowingly and willfully execute a scheme to defraud a health care benefit program, affecting interstate commerce as defined in Title 18, United States Code, Section 24(b), namely Medicaid, in connection with the delivery of and payment for health care benefits and services by submitting time sheets and receiving payment for personal assistant services not performed, in violation of Title 18, United States Code, Section 1347.

COUNT 2

Mail Fraud

7. Paragraphs 1 through 4 are re-alleged and incorporated in Count 2
8. On or about February 18, 2015, in Saint Clair County, within the Southern District of Illinois,

ANN MARIE SHEPPARD,

defendant, with the intent to defraud, devised the above-described scheme and artifice to defraud and obtain money by materially false and fraudulent pretenses and representations.

9. On or about February 18, 2015, in Saint Clair County, within the Southern District of Illinois, for the purpose of executing or attempting to execute the above-described scheme and artifice to defraud and deprive, Defendant knowingly caused to be delivered by the United States Mail an envelope, which was addressed and delivered to DHS/DORS 601 S. High Street, Belleville, Illinois 62220, and which the envelope contained a Home Services Program Time Sheet signed by **SHEPPARD** on February 15, 2015, for personal assistant services purportedly rendered to customer JS from February 1, 2015 through February 15, 2015. All in violation of Title 18, United States Code, Sections 1341.

COUNT 3

Mail Fraud

10. Paragraphs 1 through 4 are re-alleged and incorporated in Count 3.

11. On or about April 1, 2015, in Saint Clair County, within the Southern District of Illinois,

ANN MARIE SHEPPARD


defendant, with the intent to defraud, devised the above-described scheme and artifice to defraud and obtain money by materially false and fraudulent pretenses and representations.

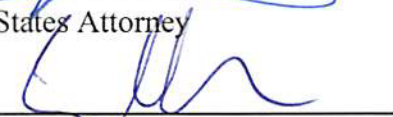
12. On or about April 1, 2015, in Saint Clair County, within the Southern District of Illinois, for the purpose of executing or attempting to execute the above-described scheme and artifice to defraud and deprive, Defendant knowingly caused to be delivered by the United States Mail an envelope, which was addressed and delivered to DHS/DORS 601 S. High Street, Belleville, Illinois 62220, and which the envelope contained a Home Services Program Time Sheet signed by **SHEPPARD** on April 1, 2015, for personal assistant services purportedly


rendered to customer JS from March 16, 2015 through March 31, 2015. All in violation of Title 18, United States Code, Sections 1341.

A TRUE BILL




STEPHEN R. WIGGINTON
United States Attorney


WILLIAM E. COONAN
Assistant United States Attorney


MICHAEL HALLOCK
Assistant United States Attorney

Recommended Bond: \$5,000 unsecured