

SUPPRESSED

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN L. BOYD,

Defendant.

Criminal No. 15-30096-MJR

Title 18, United States Code

Section 1347

Title 42, United States Code

Section 408(a)(4)

FILED

JUN 02 2015

INDICTMENT

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

THE GRAND JURY CHARGES:

1. **KEVIN L. BOYD** 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.

3. On March 16, 2010, **BOYD**, as the customer/beneficiary, completed an "Employment Agreement between Customer and Personal Assistant" with his personal assistant "RB."

4. From on or about November 29, 2010 through on or about May 29, 2014, **BOYD** signed Home Services Program Financial Data Sheets reporting the only income he received was from Social Security Disability.

5. From on or about November 30, 2012 through on or about May 29, 2014, **BOYD** completed Determination of Need Redetermination, Functional Status Examinations and reported that he was unable to drive.

6. On April 2, 2010 and February 24, 2015, **BOYD** renewed his Illinois Driver's License with the Illinois Secretary of State.

7. On January 15, 2013, at the request of the Social Security Administration, **BOYD** reported that he worked 15-40 hours a week as substitute teacher for the Board of Education School District for East Saint Louis since August 2010. **BOYD** reported that he received \$85 a day in employment income.

8. On June 18, 2013, **BOYD** completed a Social Security Administration Disability Update Report, claiming that he was employed from August 2011 through June 2013 as a substitute teacher and received approximately \$1,000 in monthly earnings.

9. From on or about September 2010 through September 2014, **BOYD** was employed as a part-time teacher for East Saint Louis School District 189.

10. From on or about September 29, 2014 to the present, **BOYD** has been employed as a full-time teacher for East Saint Louis School District 189.

11. From on or about September 15, 2010 through on or about November 16, 2012, **BOYD**, in furtherance of a scheme to defraud the Medicaid Home Services Program for the State of Illinois, completed Home Service Program Time Sheets which he falsely claimed he received personal assistant services that were not provided due to **BOYD** working for the East Saint Louis School District 189. **BOYD** signed each timesheet under the following printed statements:

I CERTIFY THE ABOVE INFORMATION IS TRUE AND THAT THE CUSTOMER WAS IN HIS/HER HOME AT THE TIME SERVICES WERE RENDERED (NOT ON VACATION, IN HOSPITAL, IN NURSING HOME, ETC.).

The intentional falsification of any information submitted on this form could lead to criminal prosecution.

12. From on or about December 2, 2012 through on or about October 2, 2014, **BOYD**, in furtherance of a scheme to defraud the Medicaid Home Services Program for the State of Illinois, completed Home Service Program Time Sheets which he falsely claimed he received personal assistant services that were not provided due to **BOYD** working for the East Saint Louis School District 189. **BOYD** signed each timesheet under the following printed statements:

I certify that the above information is true and that the services were received as stated. I understand falsification of any information submitted on this form could lead to criminal prosecution.

COUNT 1

Health Care Fraud

13. Paragraphs 1 through 12 are re-alleged and incorporated in Count 1.

14. From on or about September 15, 2010 through on or about October 2, 2014, in Saint Clair County, within the Southern District of Illinois,

KEVIN L. BOYD,

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

Social Security Fraud

15. Paragraphs 1 through 12 are re-alleged and incorporated in Count 2.

16. From on or about September 2014 through on or about May 2015, in Saint Clair County, within the Southern District of Illinois, and elsewhere,

KEVIN L. BOYD,

defendant, having knowledge of the occurrence of an event affecting his continued right to Social Security disability payments, concealed and failed to disclose to the Social Security Administration that he was substantially gainfully employed as a teacher with the East Saint Louis School District 189, in violation of Title 42, United States Code, Section 408(a)(4).

A TRUE BILL

A blue ink signature of Stephen R. Wigginton, consisting of a stylized 'S' and 'W' followed by a horizontal line.

STEPHEN R. WIGGINTON
United States Attorney

A blue ink signature of William E. Coonan, appearing as a cursive 'W' and 'C' followed by a horizontal line.

WILLIAM E. COONAN
Assistant United States Attorney

A blue ink signature of Michael Hallock, appearing as a cursive 'M' and 'H' followed by a horizontal line.

MICHAEL HALLOCK
Assistant United States Attorney

Recommended Bond: \$5,000 unsecured