

Prosecuting Attorney's Form Affidavit

Form supplied by

[Handwritten Signature]

Date:

12.18.18

IN THE DISTRICT COURT OF PULASKI COUNTY, ARKANSAS

AFFIDAVIT FOR WARRANT OF ARREST FOR THE FOLLOWING PERSON:

Potential Defendant's Name: Merissa Griffin

Race: Black
Sex: Female
DOB: 08/29/1978

Address: 9332 Harmony Drive
City: Sherwood
State: AR
Zip Code: 72120-4350
Phone No.: 501-786-5032

- Felony – Class "A"
- Misdemeanor
- Violation

Pursuant to Rule 7.1 of the Arkansas Rules of Criminal Procedure, the undersigned affiant being duly sworn, deposes and says that she has reason to believe that the above-named person has committed the offense of violating Ark. Code Ann. §5-55-111 (10), *Medicaid Fraud* over a period of time from August 1, 2017 through December 8, 2017, committed by unlawfully, feloniously and purposely making or causing to be made any false statement or representation of a material fact in application for benefit or payment in violation of the rules, regulations, and provider agreements issued by the Arkansas Medicaid Program. The aggregate amount of payments illegally claimed is twenty five thousand dollars (\$25,000.00) or more which constitutes a Class "A" Felony, in Pulaski County, Arkansas, against the peace and dignity of the State of Arkansas.

FACTS CONSTITUTING REASONABLE CAUSE

I, Terry Rolfe, an investigator for the Medicaid Fraud Control Unit (MFCU) of the Arkansas Attorney General's Office, swear and affirm the following is based upon my investigation.

Merissa Griffin is the owner and operator of Angel's On Duty, an in-home personal care and attendant care provider located in Dumas, AR. On July 29, 2017, The Office of the Medicaid

Inspector General (OMIG) received an online fraud report from Brenda Jacobs, CEO for Daughters of Charity/DePaul Clinic in Dumas. The complaint stated that Merissa Griffin was requesting physicians with Daughters of Charity sign assessments for patients within the clinic to authorize personal care services. Ms. Jacobs stated that many of these patients had not requested the services and others did not need them.

Prior to the complaint, OMIG also identified Angel's On Duty as an outlier for personal care services and billing as a new provider. OMIG scheduled a desk audit to review their records and observed that the signature for their nurse, Ashley Johnson, had been photocopied on many of the patient assessment forms. Medicaid requires that recipients are seen by a registered nurse for a patient assessment *prior to* being authorized for personal or attendant care services. Merissa Griffin stated that their nurse "felt like it'd be easier...." to have her signature already photocopied onto the forms prior to the assessment to help speed up the process.

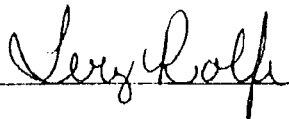
Angel's On Duty is located in Dumas, AR approximately 85 miles (1 hour and 36 minutes) from Little Rock. Ashley Johnson lives in Little Rock and worked for CHI St. Vincent, Sona MedSpa (both located in Little Rock) and Angel's On Duty's at the same time. Timesheets from CHI St. Vincent and Sona MedSpa were compared to patient assessments from Angel's On Duty. Some assessments were performed on days when Ms. Johnson was in Little Rock. Cell phone records confirm that Ms. Johnson's location was in Little Rock and not in the Dumas area, making it impossible to conduct the assessments in person as required by Medicaid.

Additionally, there were some assessments completely void of a nurse's signature. Services for these recipients were also billed to Medicaid by Ms. Griffin.

Ms. Griffin also accepted falsified timesheets and used them to bill Medicaid for personal care and attendant care services. Fax stamps show that many of the aides turned in their timesheets at the same time they recorded providing services to the recipients. These fax stamps also show the locations from which the timesheets are being faxed. Faxes were sent from local libraries, medical clinics and other places of business during times when the aides were supposed to be servicing the recipients. The Medicaid Provider Manual states that the provider is responsible for making sure that the timesheets are correct and that services are rendered to the recipient as indicated in the plan of care.

Payments from Medicaid totaling at least \$74,456.80 were received by Merissa Griffin for services obtained using non-authentic/photocopied signatures of her nurse, Ashley Johnson, and by falsified timesheets.

I swear that the allegations contained herein are the truth, the whole truth and nothing but the truth.



Affiant's Signature
Terry Rolfe
Investigator
Medicaid Fraud Control Unit
Attorney General's Office
323 Center Street, Suite 200
Little Rock, AR 72201
(501) 682-3653

Subscribed and sworn to before me this 8th day of January, 2018. SK

District Court Clerk By: [Signature]
(Deputy Clerk)

I hereby find that this sworn affidavit demonstrates reasonable and probable cause for the issuance of a warrant of arrest for the above-named individual for the above-stated offense.

[Signature]
District Judge

[Signature]
Pulaski County District Court,
Little Rock, Arkansas