

INFORMATION (FELONY)

DEASON

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

JUN 27 2012

STATE OF OKLAHOMA,)
Plaintiff,)
vs.)
DORA OLOGWERARO UWUDIA,)
Defendant.)

INFORMATION

PATRICIA PRESLEY, COURT CLERK
by _____ DEPUTY

CF-2012-3989

In the name and by the authority for the State of Oklahoma, comes now E. SCOTT PRUITT, the duly elected, qualified, and acting Attorney General of the State of Oklahoma, and on his official oath informs the District Court that:

COUNT 1: MEDICAID FRAUD [56 O.S. §1005(A)(1)]

On or between the 18th day of October, 2010, through the 26th day of April, 2011, A.D., the crime of MEDICAID FRAUD was feloniously committed in Oklahoma County, Oklahoma by **DORA OLOGWERARO UWUDIA** who willfully and knowingly caused to be submitted to the Oklahoma Medicaid Program, through its fiscal agent, false claims for payment in the aggregate amount of more than \$2,500.00 for Medicaid services not provided to K.A., A.B., and A.B., contrary to the provisions of section 1005 (A)(1) of Title 56 of the Oklahoma Statutes, and against the peace and dignity of the state of Oklahoma.

COUNT 2: MEDICAID FRAUD [56 O.S. §1005(A)(1)]

On or between the 21st day of December, 2010, through the 10th day of May, 2011, A.D., the crime of MEDICAID FRAUD was unlawfully committed in Oklahoma County, Oklahoma by **DORA OLOGWERARO UWUDIA** who willfully and knowingly caused to be submitted to the Oklahoma Medicaid Program, through its fiscal agent, false claims for payment in the aggregate amount of less than \$2,500.00 for Medicaid services not provided to K.B., contrary to the provisions of section 1005 (A)(1) of Title 56 of the Oklahoma Statutes, and against the peace and dignity of the state of Oklahoma.

COUNT 3: MEDICAID FRAUD [56 O.S. §1005(A)(1)]

On or between the 30th day of March, 2011, through the 25th day of May, 2011, A.D., the crime of MEDICAID FRAUD was unlawfully committed in Oklahoma County, Oklahoma by **DORA OLOGWERARO UWUDIA** who willfully and knowingly caused to be submitted to the Oklahoma Medicaid Program, through its fiscal agent, false claims for payment in the aggregate amount of less than \$2,500.00 for Medicaid services not provided to S.E., contrary to the provisions of section 1005 (A)(1) of Title 56 of the Oklahoma Statutes, and against the peace and dignity of the state of Oklahoma.

Dated this 27 day of June, 2012.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

BY: *Lory Dewey*
LORY DEWEY, OBA# 19540
Assistant Attorney General
313 NE 21st Street
Oklahoma City, OK 73105-3207
(405) 521-4274

State of Oklahoma)
County of Oklahoma) ss.

I, David Williams, being duly sworn upon oath, state that I have read the above and foregoing Information and know the contents thereof, and that the facts stated herein are true.

D. Hill
Investigator
Medicaid Fraud Control Unit

Subscribed and sworn to before me this 27 day of June, 2012.

Kristy Porter
Notary Public

My Commission Expires: 12-20-14



Witnesses for the State of Oklahoma:

Ontwaneece Freeman – 4600 Overbrook Rd.; Spencer, OK 73084-7331

Catrice Marzett – 401 NW 119th ST.; Oklahoma City, OK 73114-7312

Shakeela Morton – 705 Musgrave Blvd.; Oklahoma City, OK 73114-408

Sandra Reed – 8320 NW 85th ST.; Oklahoma City, OK 73132-3237

Rita Sango – 4100 Springlake Dr.; Oklahoma City, OK 73111-5110

Susan Lowrey, Behavioral Health Audit Specialist; Program Integrity Unit; Oklahoma Health Care Authority; 2401 NW 23rd ST., Ste. 1A; Oklahoma City, OK 73107-2423

Richard Pierson, Executive Director; Oklahoma State Board of Licensed Alcohol and Drug Counselors; P.O. Box 54388; Oklahoma City, OK 73154-0817

Paula Printup-Porter, Senior Systems Analyst; Program Integrity Unit; Oklahoma Health Care Authority; 2401 NW 23rd ST., Ste. 1A; Oklahoma City, OK 73107-2423

Beth VanHorn, Legal Operations Director; Oklahoma Health Care Authority; 2401 NW 23rd ST.; Oklahoma City, OK 73107-2423

Nena West, Director; Professional Counselor Licensing Division; Oklahoma State Department of Health; 1000 NE 10th ST.; Oklahoma City, OK 73117-1207

Marquette Dickenson; Medicaid Fraud Control Unit; Oklahoma Attorney General's Office; 313 NE 21st ST.; Oklahoma City, OK 73105-3207

David Williams; Medicaid Fraud Control Unit; Oklahoma Attorney General's Office; 313 NE 21st ST.; Oklahoma City, OK 73105-3207

STATE OF OKLAHOMA)
) SS.
COUNTY OF OKLAHOMA)

**AFFIDAVIT OF PROBABLE CAUSE
FOR ARREST WARRANT FOR**

DORA OLOGWERARO UWUDIA

56 O.S. § 1005. (A)(1)

**KNOWINGLY MAKE OR CAUSE TO BE MADE A FALSE CLAIM UPON
THE OKLAHOMA MEDICAID PROGRAM**

David Williams, being of lawful age and after having affirmed upon his oath to tell the truth, states as follows:

I am a certified Peace officer in Oklahoma, currently employed as an Investigator in the Oklahoma Attorney General's Office, Medicaid Fraud Control Unit. My duties include investigating allegations of fraud and abuse by providers and facilities receiving Medicaid funds.

On February 6, 2012 your affiant was assigned to investigate possible Medicaid Fraud by Dora Olgweraro Uwudia, Licensed Alcohol and Drug Counselor (LADC) under supervision, Licensed Professional Counselor (LPC) #4256 and owner of Minding Minds PC. Located at, 9622 NE 23rd street, Oklahoma City, OK. Minding Minds is contracted with the Oklahoma Health Care Authority (OHCA) to provide counseling services to Medicaid recipients. The OHCA is the single state agency in Oklahoma responsible for administering Medicaid funds to providers of health care services. Dora Uwudia is the owner of Minding Minds and is responsible for any billing submitted to the OHCA. When the OHCA makes payments to Minding Minds the funds are directly deposited into an account that Uwudia oversees.

The Medicaid Fraud Control Unit (MFCU) received a complaint from Ontwanece Freeman stating she worked for Minding Minds PC as an office manager with responsibilities for billing Medicaid. Freeman stated in the complaint that she discovered several clients of Dora Uwudia were not receiving services as billed. She said she discovered the clients were not receiving services when she spoke to the parents and Guardians of the clients. When Freeman discovered the services were being falsely billed based on Uwudia's notes and conversations with the parents, she began

reversing the charges to OHCA. Behavioral health counseling services are provided in accordance with an initial assessment and the development of a service plan. The service plan includes the client's diagnosis and determines the appropriate treatment modality for them going forward. Counseling sessions are documented for treatment and billing purposes in a progress note. Progress notes are a chronological written description of services provided to a client that documents the client's response related to the intervention plan or services provided. Progress notes are maintained by the counseling agency and must include the clinician's name, date of service, and session start and stop time. Payment is rendered from the OHCA to the provider for completed work by way of the claim process. The OHCA maintains a database of all provider claims submitted for payment. The OHCA can summarize a provider's billing history in a provider report.

Your affiant received a provider report listing the billing by Minding Minds PC for the following clients of Dora Uwudia: K.B., A.B., A.B., S.E., and A.K.

On March 1, 2012 your affiant completed a subpoena and personally served it to Dora Uwudia, Owner of Minding Minds PC located at 9622 NE 23rd street, Oklahoma City, OK. The subpoena requested complete copies of client files for K.B., A.B., A.B., S.E., and A.K.

Your affiant reviewed the billing information provided by OHCA and compared it with the progress notes provided by Minding Minds PC. A spread sheet was prepared based upon the OHCA provider report, the rendering clinician, and the times and days of the week the sessions were provided to each of the five clients listed above as recorded and reflected in each individual progress note.

Each client and their parent or guardian reviewed the spread sheet for their account and made notations indicating when counseling did not occur by Dora Uwudia.

Sandra Reed, who is the mother of S.E., initialed several dates on the spread sheet that did not occur as billed. Both Reed and S.E. said Uwudia never provided all the counseling sessions that were billed for. Reed and Estell agreed that five sessions that were billed for did not occur. The total billed for services that did not occur is **\$458.85**. Reed initialed the spread sheet indicating which of the sessions did not occur as billed by Dora Uwudia.

Rita Sango, who is the mother of K.B. reviewed the spread sheet for K.B.. Both stated the counseling did not occur. Sango said the only entry on the spread sheet that might be correct was the initial visit on December 4, 2010. Both Sango and Brown said Uwudia never provided a counseling session. The amount billed for Behavioral Counseling that did not take place for K. B. is **\$1,193.01**.

Shakeela Morton who is the mother of A.B., A.B. and K.A. never

received any counseling from Uwudia. On each spread sheet there was a space provided for initials indicating the activity did not occur as documented. At the bottom of each spread sheet was a line for Morton to sign indicating she reviewed the spreadsheet. Morton reviewed the documents and made notations indicating the counseling did not occur and signed each one. The amount billed for Behavioral Counseling that did not take place for A.B. is \$1,113.46, A.B. is \$1,256.27 and K.A. is \$2,118.29 for a total of \$4,488.02.

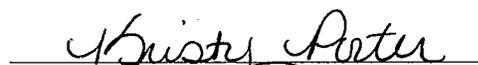
Oklahoma Health Care Authority records were reviewed on June 20, 2012, verifying there were no refunds, voids, or cancelled transactions for the above detailed billings during the time frame reviewed.

I request, upon probable cause, the court issue a warrant for the arrest of Dora Olgweraro Uwudia on the charges of Medicaid Fraud as described in Title 56 § 1005.(A)(1) for knowingly making, or causing to be made a false claim under the Oklahoma Medicaid Program.

Further, your affiant sayeth not.


David Williams

Subscribed and affirmed before me this 25 Day of June
Two Thousand Twelve.


Kristy Porter

My commission expires:

12-20-14

