

State Witness: Nurse-investigator Darlene Herndon
Georgia Medicaid Fraud Control Unit

49

No. **09-CR 6032** - 8

DeKalb County Superior Court
November Term, 2009

THE STATE

VERSUS

MATILDA PRINCE

D-0209579-8

FILED
2009 DEC 10 P 2:40
CLERK OF SUPERIOR COURT
DEKALB COUNTY GA

COUNT 1: Medicaid Fraud, a felony
O.C.G.A. § 49-4-146.1(b)

Tracy BILL.
Debra Knight Foreperson.

The Defendant, Matilda Prince, waives copy
of Indictment, list of witnesses, full panel,
formal arraignment, and pleads

This _____ day of _____, 20____

Assistant Attorney General

Defendant's Attorney

Defendant

STATE OF GEORGIA, COUNTY OF DEKALB
IN THE SUPERIOR COURT OF SAID COUNTY,

BILL OF INDICTMENT

The Grand Jurors selected, chosen and sworn for the County of DeKalb to wit:

1. Della J. Royster, Foreman
2. Johnnie Berry
3. Louise T. Brannen
4. Patrick Brown
5. Connie B. Cook
6. Jolene R. Davis
7. Dominic W. DeDuonni
8. Jeffrey L. Edwards
- ~~9. V-Neesa Gabriel~~
- ~~10. Marsha Galloway~~
- ~~11. Margie Griffin~~
12. Michael Hagerty
- ~~13. Samantha Hendricks~~
- ~~14. Jennifer L. Hyde~~
- ~~15. Christopher R. Jowers~~
16. Veronica O. Marks
17. Joseph A. Marsh
18. Lawrence Mosley
19. Alicia Pabon
20. Michael D. Parker
21. Michael B. Silverman
22. Idella Smith-Bynom
23. Elizabeth A. Stalzer
- ~~24. Danielle Taylor~~
- ~~25. Daniel P. Tindel~~

in the name and behalf of the citizens of Georgia charge and accuse

MATILDA PRINCE

with the offense of:

Medicaid fraud, O.C.G.A. § 49-4-146.1(b), a felony,

for the accused, in the County of DeKalb and the State of Georgia,

beginning on or about October 7, 2004 and continuing until on or about June 25, 2007, did obtain, and did attempt to obtain, medical assistance and other payments for herself and for others, to which they were not entitled, and in amounts greater than that to which they were entitled, from the State of Georgia Medicaid program ("Medicaid"), administered by the Department of Community Health and its fiscal agent, Affiliated Computer Systems ("A.C.S."), and from Avesis, a vision care subcontractor under a managed care program reimbursed by the Georgia Medicaid program, by the following fraudulent scheme and device:

Background of the scheme

The Georgia Medicaid program ("Georgia Medicaid"), administered by the Georgia Department of Community Health, Division of Medical Assistance was established to provide an array of health care services and benefits to those who, due to economic circumstances and other reasons, could not otherwise afford such health care services and benefits. Georgia Medicaid was funded jointly by the State of Georgia and by the United States Department of Health and Human Services, acting through the Centers for Medicare and Medicaid Services.

MATILDA PRINCE purchased Pickens Eye Clinic, an optometry business in 2003. She hired a succession of optometrists as contractors to the business and assisted in enrolling them in the Georgia Medicaid program. From January 1, 2005 to June 1, 2006, PRINCE submitted claims to the Medicaid program through the fiscal intermediary, A. C. S. From June 1, 2006 until November 30, 2006, PRINCE submitted claims to Avesis,

The fraudulent scheme

1.

Between on or about March 1, 2006 and on or about June 5, 2007, PRINCE caused claims to be submitted to Georgia Medicaid for Procedure Code 92135, Scanning Computerized Ophthalmic Diagnostic Imaging, even though Pickens Eye Clinic did not possess the equipment necessary to perform the test, and the test was not performed.

2.

Between on or September 11, 2006 and on or about June 25, 2006, PRINCE accepted approximately \$72,541.50 in medical assistance payments from the Georgia Medicaid program, for Procedure Code 92135, even though Pickens Eye Clinic did not possess the equipment necessary to perform the test, and the test was not performed.

3.

Between on or about January 1, 2006 and on or about June 1, 2007, PRINCE caused claims to be submitted to the Georgia Medicaid program for Procedure Code 92283, Extended Color Vision Examination when the services had not been rendered.

4.

Between on or about June 19, 2006 and on or about June 4, 2007, PRINCE accepted approximately \$7,583.13 in medical assistance payments from the Georgia Medicaid program, for Procedure Code 92283, which was an amount greater than she was entitled to.

5.

Between on or about June 1, 2006 and on or about November 30, 2006, PRINCE caused claims to be submitted to Avesis for Procedure Code 92283 when the services had not been rendered.

6.

Between on or about June 29, 2006 and on or about September 20, 2006, PRINCE accepted approximately \$6,126,21 in payments from Avesis for Procedure Code 92283, which was an amount greater that she was entitled to.

7.

Between on or about January 2, 2006 and on or about June 5, 2007 PRINCE caused claims to be submitted to the Georgia Medicaid program on the Medicaid provider number of M.B. for Procedure Code 92250, Fundus Photography with Interpretation and Report when the services had not been rendered.

8.

Between on or July 17, 2006, and on or about June 5, 2007, PRINCE accepted approximately \$13,664.84 in medical assistance payments made on the Medicaid provider number for M.C. for Procedure Code 92250, when the services had not been rendered.

9.

Between on or about June 1, 2006 and on or about September 18, 2006, PRINCE caused claims to be submitted to Avesis on the provider number of M.C., for Procedure Code 92250 when the services had not been rendered.

10.

Between on or July 12, 2006 and on or about November 20, 2006, PRINCE accepted approximately \$28,595.92 in payments from Avesis, made on the Medicaid provider number for M.C., for Procedure Code 92250, when the services had not been rendered.

11.

Between on or January 6, 2005 and on or about June 8, 2006, PRINCE caused claims to be submitted to the Georgia Medicaid program, including but not limited to the claims listed below, when the procedures were not medically necessary and the services had not been rendered.

Last Name	First Name	Date of Service	Procedure Code	Paid Amount	Denied Amount
P	D	03/23/06	92283	\$23.19	\$23.19
W	M	01/19/06	92225	\$48.99	\$48.99
C	J	05/17/06	99214	\$62.71	\$62.71
G	R	12/01/05	92226	\$96.80	\$96.80
G	R	04/18/06	92135	\$123.00	\$123.00

12.

Between January 1, 2005 and June 16, 2006, the accused accepted approximately \$130,284 in medical assistance payments for services which were not medically necessary and were not rendered.

13.

Between on or about December 6, 2004, and June 25, 2007, the accused accepted \$457,170.25 in medical assistance payments from Georgia Medicaid, which was an amount greater than that to which she was entitled.

14.

Between on or about June 15, 2006 and February 6, 2007 the accused accepted \$185,503.17 in payments from Avesis, which was an amount greater than that to which she was entitled.

Contrary to the laws of the State, the good order, peace and dignity thereof, and the crime was unknown to the State until September 1, 2006.

IN THE SUPERIOR COURT OF DEKALB COUNTY

STATE OF GEORGIA

COPY

THE STATE

VS.

Criminal Action#: **D0209579 - 8**

MATILDA LYNN PRINCE
PICKENS EYE CLINIC
360 W. CHURCH STREET
JASPER, GA 30143

White/Female; DOB: 13-FEB-76; SSN: 256-47-7615
HGT: (Unknown) WGT: (Unknown) HAIR: (Unknown) EYES: (UNKNOWN)

FILED
2009 DEC 10 P 2:39
CLERK OF SUPERIOR COURT
DEKALB COUNTY GA

GRADN JURY ARREST WARRANT

To all and singular, the Sheriffs, Constables and Coroners of Said State, Greeting:

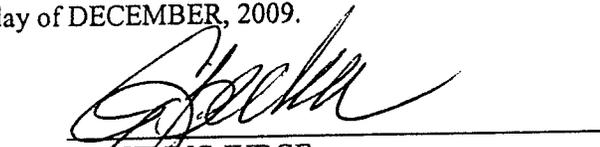
Whereas, at the **NOVEMBER TERM, 2009**, of the Superior Court for DeKalb County, The Grand Jurors did find a true bill of indictment against **MATILDA LYNN PRINCE** for the offense(s) of

VIOL. OF GA. PUBLIC ASSIST ACT

You and each of you are therefore commanded in the name of the state to apprehend the said Defendant, and in default of his giving bond and surety in the sum of **\$50,000 (FIFTY THOUSAND)**, to commit jail of said County, to be dealt with as the law directs.

Given under my hand and seal this 10th day of DECEMBER, 2009.


Nancy Allstrom, Assistant Attorney General
for Gwendolyn Keyes Fleming
District Attorney
Stone Mountain Judicial Circuit


PRESIDING JUDGE
DeKalb County Superior Court
Stone Mountain Judicial Circuit

State of Georgia, DeKalb County
The undersigned Deputy Clerk of DeKalb County Superior Court hereby certifies that this Document is a true and correct copy of a Duplicate Original as it appears in file and of record in this office
Witness my hand and seal of office this _____ day of _____, _____.

By _____
For Linda Carter, Clerk

Extradition Approved:
_____ Southeastern States
_____ Eastern States
_____ Nationwide
_____ GCIC only