

INDICTMENT  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK :  
-against- :  
X. WALTER GREENFELD and :  
X. NURSING PERSONNEL HOME CARE, :  
Defendants :

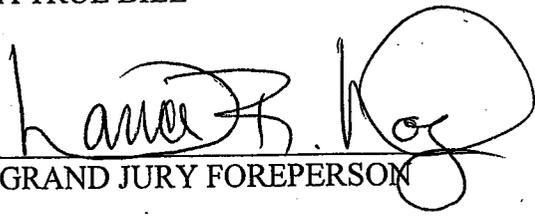
INDICTMENT  
NON ALIGNED  
2608/08

COUNTS

P.L. 155.42 - GRAND LARCENY IN THE FIRST DEGREE (1 COUNT)  
P.L. 175.35 - OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE (3 COUNTS)

CRIMINAL TERM ARRANG  
SUPREME COURT KINGS  
2008 MAR 14 PM 12: 57

A TRUE BILL

  
GRAND JURY FOREPERSON

  
ANDREW M. CUOMO  
Attorney General  
State of New York  
120 Broadway  
New York, NY 10271

COUNT ONE

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants of the crime of GRAND LARCENY IN THE FIRST DEGREE, in violation of Section P.L. § 155.42 of the Penal Law, committed as follows:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, from on or about March 1, 2004 to December 31, 2007, in the County of Kings and elsewhere, with intent to deprive another of property and to appropriate the same to himself and others, wrongfully took, obtained and withheld property valued in excess of one million dollars, from an owner thereof, in that:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, knowingly submitted and caused a Certified Home Health Agency to submit to Computer Sciences Corporation, a fiscal agent of the State of New York, false claims with the New York State Medical Assistance Program (Medicaid) for home health care services provided to certain Medicaid recipients. These claims falsely certified that amounts listed for home health services provided to Medicaid recipients were due, that the persons providing the services had the necessary certification, training and experience to perform the claimed services and that the services were provided in accordance with applicable state laws and regulations.

The State of New York, in reliance upon these false representations, paid Certified Home Health Agencies over \$1,000,000 to which neither the agencies nor the defendants were entitled, and in which proceeds the defendants shared.

COUNT TWO

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Section 175.35 of the Penal Law, committed as follows:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, from on or about July 29, 2006 to on or about September 7, 2006, in the County of Kings, State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, caused the instrument to be offered and presented to a public office and public servant with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office and public servant, in the following manner:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, knowingly submitted and caused to be submitted to Computer Sciences Corporation, a fiscal agent of the State of New York under the Medical Assistance (Title XIX) Program, commonly known as Medicaid, an electronic claim submission that sought reimbursement under claim reference number 0625000029505520, knowing that the claim falsely stated that on July 29, 2006, a Certified Home Health Agency had provided home care services to a Medicaid patient, CIN No: WN56369G, in accordance with all state laws and regulations.

COUNT THREE

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Section 175.35 of the Penal Law, committed as follows:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, from on or about January 29, 2006 to on or about February 27, 2006, in the County of Kings, State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, caused the instrument to be offered and presented to a public office and public servant with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office and public servant, in the following manner:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, knowingly submitted and caused to be submitted to Computer Sciences Corporation, a fiscal agent of the State of New York under the Medical Assistance (Title XIX) Program, commonly known as Medicaid, an electronic claim submission that sought reimbursement under claim reference number 0605800058051320, knowing that the claim falsely stated that on January 29, 2006, a Certified Home Health Agency had provided home care services to a Medicaid patient, CIN No: XC33898M, in accordance with all state laws and regulations

COUNT FOUR

THE GRAND JURY OF THE COUNTY OF KINGS, by this indictment, accuses the defendants of the crime of OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE, in violation of Section 175.35 of the Penal Law, committed as follows:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, acting in concert, from on or about August 2, 2006 to on or about October 5, 2006, in the County of Kings, State of New York, knowing that a written instrument contained a false statement and false information, and with intent to defraud the State of New York, caused the instrument to be offered and presented to a public office and public servant with the knowledge and belief that it would be filed with, registered and recorded in, and otherwise become a part of the records of such public office and public servant, in the following manner:

The defendants, NURSING PERSONNEL HOME CARE, and WALTER GREENFELD, HIGH MANAGERIAL AGENT OF NURSING PERSONNEL HOME CARE, knowingly submitted and caused to be submitted to Computer Sciences Corporation, a fiscal agent of the State of New York under the Medical Assistance (Title XIX) Program, commonly known as Medicaid, an electronic claim submission that sought reimbursement under claim reference number 0627800123454820, knowing that the claim falsely stated that on August 2, 2006, a Certified Home Health Agency had provided home care services to a Medicaid patient, CIN No: WN56369G, in accordance with all state laws and regulations.