

District of Columbia Medicaid Fraud Control Unit



“Building Capacity for Greater Government”

Presenter Bio

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Jonathan Rich is a Special Agent with the DC MFCU since 2020, and previously worked as the DC MFCU's Patient Abuse Investigator from 2003 to 2010. Prior to returning to MFCU, Mr. Rich was the Elder Abuse Investigator for the DC Office of the Attorney General, investigating elder and vulnerable adult financial crimes.

Mr. Rich holds a Bachelor of Business Administration and has completed an array of training programs involving crimes against the elderly and vulnerable adults. Mr. Rich previously served on NAMFCU's Resident Abuse Committee from 2008 to 2010, and he was re-selected to serve again in 2021 and continues to serve.

Mr. Rich has received over 25 letters of commendation from the U.S. Attorney's Office for DC, and was named in the related press releases, including one from the FBI's Washington Field Office, for his investigative work which led to over 30 successful criminal prosecutions for an array of crimes perpetrated against the elderly and vulnerable adults.

Mr. Rich was the investigator in two "Case Law" matters confirmed by the DC Court of Appeals. One case involved the violation of DC code §22-933 "criminal abuse of a vulnerable adult" (*Milton Poole, Appellant v. U.S., No. 05-CM-1424*), and the other case involved violation of DC code §22-934 "criminal neglect of a vulnerable adult" (*Jerome Jackson, Appellant v. U.S., No. 07-CM-204*). Mr. Rich has investigated an array of cases for violations of DC code §22-933.01 "financial exploitation of a vulnerable adult or elderly person", which were successfully prosecuted.



Case Study

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CRIMINAL NEGLIGENCE & ROBBERY OF A VULNERABLE ADULT



Food for Thought

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If a CNA/ HHA / PCA neglects, abuses, or financially exploits their patient, can the billing that's generated during that timeframe by the abuser be considered fraudulent?



Elder A/N/E

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- May be present where Medicare/Medicaid fraud exists
- Vice versa
- Does not occur in a vacuum



Case Overview

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- Referral - Department of Health (DOH)
 - Allegations
 - Victim Background
- Investigation
 - Worked jointly with FBI's Washington Field Office (WFO)
- Findings
- Resolution





FEDERAL BUREAU OF INVESTIGATION WASHINGTON FIELD OFFICE (WFO)

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Department of Justice Press Release

For Immediate Release

November 8, 2010

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United States Attorney's Office

District of Columbia

Contact: (202) 514-7566

Former Caregiver Sentenced for Attempted Robbery and Negligence

WASHINGTON—Micheline Ngouabou, a former employee of T & N Reliable Nursing Care (T & N), a District of Columbia staffing company, recently was sentenced for felony attempted robbery and misdemeanor criminal negligence of a vulnerable adult, announced U.S. Attorney Ronald C. Machen Jr., John G. Perren, Acting Assistant Director in Charge of the FBI's Washington Field Office, and Charles J. Willoughby, Inspector General for the District of Columbia.

Ngouabou, 43, of Silver Spring, Maryland, pled guilty to attempted robbery and criminal neglect of a vulnerable adult and was sentenced on October 26, 2010, in the Superior Court of the District of Columbia before the Honorable Jennifer Anderson. For the felony attempted robbery count, Judge Anderson sentenced the defendant to 18 months in prison, with all but six months suspended, and three years of supervised probation. For the misdemeanor criminal neglect of a vulnerable adult, Judge Anderson sentenced the defendant to 180 days in prison consecutive to the 18 months, with all days suspended, and three years of supervised probation to run concurrently with the felony probation.

Additionally, the court ordered Ngouabou not to work with vulnerable populations, and to pay \$3,000 towards the Victim of Violent Crime Compensation Act fund.

According to the government's evidence, the defendant worked as a Home Health Aide for T & N Reliable Nursing Care under another person's name. Ngouabou used the other person's name, identification, and documents to gain employment at T & N. She falsely presented herself as a certified Home Health Aide to T & N and the victim. Ngouabou worked at the home of a person with diabetes, kidney disease, and other ailments and who required assistance in his home. From March 2009 through August 2009, she repeatedly took cash left on the victim's nightstand as she gave him a sponge bath with his back turned to the nightstand. The victim noticed cash was missing at times that correlated to when Ngouabou was working at his home.

The victim set up a recording device and captured images of her taking money. During the relevant time period, Ngouabou took more than \$3,000 from the victim. She neglected to properly care for the patient, as she did not have any training or certification as a Home Health Aide. Her negligence resulted in physical harm to the patient she was assigned to care for.

In announcing the conviction and sentence, U.S. Attorney Machen, Acting Assistant Director Perren, and Inspector General Willoughby praised the work of former investigator Jonathan Rich from the Office of the Inspector General Medicaid Fraud Control Unit (MFCU) for his investigation of the theft and criminal neglect. Mr. Machen and Mr. Willoughby also commended the work of Assistant U.S. Attorney Joshua Klein and Special Assistant U.S. Attorney Jacqueline N. Schesmol of the MFCU who jointly prosecuted the case.

What can you do?

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- **Ask to see government issued ID**
 - Anyone who wants to enter your home
 - Anyone who wants to provide a service to you
- **Check publicly available information**
 - DOH's website
 - ✦ License information
 - ✦ Abuse registry entries
- **Report suspected A/N/E to authorities**



We Care

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The various Medicaid Fraud Control Units and your local FBI Field Office, along with the HHS-OIG, local, state, and other federal partners take elder related crimes seriously.

Please report them.



My Contact Information

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