

CERTIFICATE OF TRANSCRIPT

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

STATE OF NEBRASKA
Plaintiff

vs.

CERTIFICATE OF TRANSCRIPT
(FELONY)

Danielle J Clark
Defendant

FILED

MAY 20 2014

**VALORIE BENDIXEN
CLERK OF DISTRICT COURT**

I, Reynalda A. Carpenter, Clerk of the Hall County Court, certify that I have attached to this certificate the original record of this case; that it is correct and the complete original record; that I have had the legal custody and control of the original record; that this court is a court of record, has a seal and the seal is affixed; and that the foregoing attestation is correct, according to the laws of the State of Nebraska.

I certify costs of \$ _____ () have (x) have not been paid.

Filing Fees	<u>\$18.00</u>	LASF/ Non-Waiverable	<u>\$ 2.00</u>
NSC Education Fee	<u>\$ 1.00</u>	Legal Aid/Service Fee	<u>\$ 5.25</u>
Dispute Resolution Fee	<u>\$.75</u>	Automation Fee	<u>\$ 8.00</u>
Indigent Defense Fee	<u>\$ 3.00</u>	Sheriff Fees	<u>\$ 2.50</u>
Uniform Data Analysis Fee	<u>\$ 1.00</u>	Witness Fees	<u>\$ _____</u>
J.R.F.	<u>\$ 6.00</u>	Cert Tran	<u>1.00</u>
L.E.I.F.	<u>\$ 3.00</u>		

5/20/14

TOTAL: \$ 51.50

(Note: County Court Claimed court costs and issued non-monetary receipt for sheriff fees.)

DATE: 5/20/14 BY THE COURT: A. Boomsberg
Deputy Clerk



IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

State of Nebraska/City of Grand Island,
Plaintiff,

vs.

Danielle J Clark

Defendant,

ORDER ON BOND

Case # CR14-1021

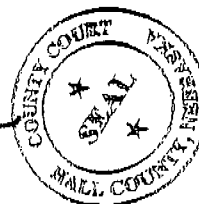
THE COURT FINDS that we have received from each bond the sum of \$ and have applied the same as follows:

FINE: _____ Clerk of the Dist Court: _____
COSTS: _____ Check # _____
SHERIFF FEES: _____
WITNESS FEES: _____
RESTITUTION: _____
BREATH TEST FEES: _____
DRI FEES: _____
MISC: _____
Refunded: _____ CK# _____

IT IS HEREBY ORDERED that the above bond be disbursed as above set forth.

BY THE COURT

Rynalda A Carpenter
Clerk Magistrate



POSTED: _____

_____ Cash _____ Surety _____ 10% _____ XXXX _____ OR

_____ No Bond Set

Other Conditions _____ None _____

District Court Case No. CR14 272 Amount Received _____

Date _____

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

ST V. DANIELLE J CLARK
DOB: 12/17/1987
Case ID: CR 14 1021
Citation:

Printed on 5/20/2014 at 1:46
Room 08C01
Page 1
Date of Hearing 5/20/2014

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE	STATUTE	DESCRIPTION	CLASS	TYPE
01 Waived-Bound Over	68-1017	Fraud to obtain assistance \$500 or mo	4	FEL

APPEARANCES AND ADVISEMENT

Judge Arthur S Wetzel
Defendant DANIELLE J CLARK
Defense Counsel Boyle, Matthew, C,
Prosecutor D. Mark Collins

Defendant previously advised of the nature of the above charges, all possible penalties and rights.

ARRAIGNMENT

Defendant knowingly, intelligently and voluntarily waived the right to a preliminary hearing on the count(s) shown above. The defendant is bound over to the District Court on such count(s).

BOND INFORMATION

Bond 40198 for \$1.00 PR filed on 4/09/2014
Balance Held _____

BOND ORDERED: Continued

ADDITIONAL ENTRIES OF RECORD

Preliminary Hearing waived for reciprocal discovery agreement in District Court.
To appear in District Court for arraignment: June 10, 2014 @ 9:00AM.

Hon. Arthur S Wetzel 5/20/2014 Karen _____
Arthur S Wetzel Date Bailiff



Tape Nos. 05/20/2014

Journal Entry and Order(s) copies to:

- Collins, D, Mark, mark.collins@nebraska.gov
- DEFENDANT
- Boyle, Matthew, C, matthewb@lauritsenlaw.com

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

ST V. DANIELLE J CLARK
DOB: 12/17/1987
Case ID: CR 14 1021
Citation:

Printed on 4/09/2014 at 11:11
Room 08C01
Page 1
Date of Hearing 4/09/2014

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE	STATUTE	DESCRIPTION	CLASS	TYPE
01	68-1017	Fraud to obtain assistance \$500 or mo	4	FEL

APPEARANCES AND ADVISEMENT

Judge Arthur S Wetzel
Defendant DANIELLE J CLARK in custody
Prosecutor Megan Alexander

Defendant advised of the nature of the above charges, all possible penalties, effect of conviction on non-citizens, and each of the following rights: Privilege Against Self-incrimination; Right to Confront Accusers; Right to Preliminary Hearing; Right to Counsel; Right to Appeal Conviction.

Defendant will hire own counsel _____.

BOND INFORMATION

Release on Recognizance. *OK to jail 4/9/14*

FUTURE COURT APPEARANCES

Case continued to 5/20/2014 at 1:30 PM
in County Courtroom 01 for Prelim Hearing

Hon.

Arthur S Wetzel
Arthur S Wetzel



4/09/2014
Date

Karen
Bailiff

Tape Nos. 04/09/2014

Journal Entry and Order(s) copies to:

Young, Mark, J
DEFENDANT
CORRECTIONS

courtnotices@hallcountyne.gov

CASE FILE COPY

FILED BY
Clerk of the Hall County Court
04/09/2014

JOURNAL ENTRY AND ORDER

FILED

APR 14 2014

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

THE STATE OF NEBRASKA,

Plaintiff,

v.

DANIELLE J. CLARK,

Defendant.

Case No. CR14-1021

MEYER, ANTHONY JR.
CLERK MAGISTRATE
HALL CO COURT

ENTRY OF APPEARANCE

COMES NOW Matthew C. Boyle, to enter his appearance as attorney of record for the Defendant in this matter.

DATED April 11, 2014.

DANIELLE J. CLARK, Defendant

By: 

Matthew C. Boyle, #24132

LAURITSEN, BROWNELL, BROSTROM
& STEHLIK, PC., LLO

724 W. Koenig St., P.O. Box 400

Grand Island, NE 68802-0400


T: (308) 382-8010

F: (308) 382-8018

Email: matthewb@lauritsenlaw.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing was served on D. Mark Collins, Assistant Attorney General 1221 N Street #500, Lincoln, NE 68509, through the regular United States mail, postage prepaid, this 11th day of April, 2014.


Matthew C. Boyle, #24132

APPEARANCE BOND

Bond Number 40198

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

FILED

State v. Danielle J Clark
Case ID: CR 14 1021

Receipt # _____

APR 10 2014

I acknowledge that I have been charged with the offense(s) of:

CT STATUTE	DESCRIPTION
1 68-1017	Fraud to obtain assistance \$500 or more

TYPE CLASS
REYNALDA A CARPENTER
CLERK MAGISTRATE
HALL CO COURT

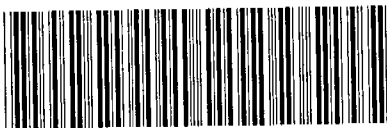
and in consideration of my release from custody, agree to appear in the County Court of said County on
5/20/2014 at 01:30 PM

and thereafter as directed by the Court, to answer the charges against me. In the event that the offense charged is a felony, and I am bound over to the District Court upon preliminary hearing, I further agree to appear in the District Court of said County forthwith or as so ordered, which court shall then have jurisdiction. I further agree to appear in the District Court thereafter as directed by the Court. Further conditions of this bond are:

NOTE: IF ABOVE COURT DATE CHANGES, REFER TO DATE ON MOST RECENT APPEARANCE NOTICE

I understand that failure to appear as required by the Court may cause a warrant for my arrest to be issued, and that further penalties may be imposed upon me, including forfeiture of this bond or bail, for willful failure to appear or for violation of any condition of this agreement upon which I am released. To guarantee my appearance, I do hereby acknowledge myself to be indebted to the State of Nebraska in the sum of ~~\$1.00~~ which sum is hereby secured as follows:

Personal Recognizance in the sum of ~~\$1.00~~



A00126493C08

I hereby assign the proceeds of this bond to: N/A

Date: 4/9/14 Defendant's Signature Danielle Clark

Date of Birth _____ Defendant's Address 61733 W 5th St Hastings NE 68901
Contact the Court if your address changes

Date: _____ Surety: _____

Date: 4/9/14 Witness: c/o Thompson

Approved by the Court: Clerk _____

Date: _____

CORRECTIONS/COURT COPY

JUSTIFICATION OF SURETIES

Bond Number 40198

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

State v. Danielle J Clark
Case ID: CR 14 1021

_____ and _____ surety, or sureties on this appeal
recognizance after being first duly sworn, deposes and says that I am a resident of the State of
Nebraska and have real estate property situated in this county and state, TO WIT: (Legal
Description) _____

Commonly known as(address) _____
Worth at least double the amount of this bond, beyond the amount of all liens and encumbrances
thereon in addition to any exemptions allowed by law.

DATE: _____ SURETY: _____

DATE: _____ SURETY: _____

Subscribed in my presence and sworn to before me this date.

DATE: _____ BY THE COURT: _____

ARREST WARRANT
FILED

IN THE COUNTY COURT OF Hall County, NEBRASKA

APR 09 2014

Doc. No. 565162

State of Nebraska v. Danielle J Clark

Case ID: CR 14 1021

REYNALDA A CARPENTER

CLERK/MAGISTRATE
HALL COUNTY

TO: THE Hall County Sheriff OR ANY DULY AUTHORIZED LAW ENFORCEMENT OFFICER

A complaint has been filed in the above court alleging the above-named defendant committed the following offense(s):

<u>Statute</u>	<u>Offense Description</u>	<u>Type</u>	<u>Cls</u>	<u>Off. Date</u>
68-1017	Fraud to obtain assistance \$500 or more	FEL	4	09/03/2012

The court finds, upon complaint supported by oath or affirmation, probable cause exists for the issuance of a warrant

THEREFORE YOU ARE ORDERED to immediately arrest said defendant wherever he/she may be found and to bring him/her promptly before this court or any judge or magistrate having jurisdiction of this matter, to answer such complaint and be further dealt with according to law.

Date: 3-25-14 Judge/Magistrate [Signature]



A00122687C08

Officer:

Defendant Danielle J Clark
1733 W 5th Street
Hastings, NE 68901

AKA
AKA
AKA
AKA

Drivers Lic:
Vehicle Lic:

DOB: 12/17/1987 Ht: 0 00 Wt: 0 Sex:

Eyes: Hair:

Plate Type
Race:

'14 MAR 26 1:24PM

RETURN

Document No. 565162

State of Nebraska v. Danielle J Clark

Received this writ on _____, and on _____, I have arrested the defendant or Party within named and have brought him/her before the court.

Defendant or party was imprisoned on _____, and released on _____, and served:
_____ days toward sentence
_____ days toward amount due

Defendant or party paid \$ _____ toward amount due

Defendant or party signed a time payment agreement

Date: _____ By _____
Sheriff or authorized person/Jailer

STATE OF NEBRASKA)
SS
COUNTY OF HALL)

Received this Warrant on the 25 day of March, 14.

I hereby certify that the within named Danielle Clark
has been arrested on this Warrant in _____ County,
Nebraska.

I further certify that the within named has:

() Posted a \$ _____ cash/surety appearance bond on the _____
day of _____, _____, and is to appear in Hall
County/District Court on the _____ day of _____,
at _____:_____ a.m./p.m.

() Paid fines and costs in the amount of \$ _____ on the
_____ day of _____.

Dated this 9 day of April, 14.

Service & Return: \$ 2.00
Mileage: .50
Misc: _____
Total: \$ 2.50

Jerry Watson, Sheriff

By: [Signature]

Arrested Date: 4.9.14

ORDER TO APPEAR IN COURT

IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA

ST V. DANIELLE J CLARK

DOB: 12/17/1987

Case ID: CR 14 1021

Printed on 4/09/2014 at 11:11

Room 08C01

Page 1

DANIELLE J CLARK is ordered to appear in

Hall County Crt. Crtrm. #1

at 01:30 PM on May 20, 2014 for:

Prelim Hearing

Failing to appear in the court as directed may result in a warrant being issued for your arrest and an additional charge of Failure to Appear, which is punishable as follows:

Not more than 5 years imprisonment and/or a \$10,000.00 fine if the original offense is a Felony.

Not more than 6 months imprisonment and/or a \$1,000.00 fine if the original offense is a Misdemeanor or a City Ordinance violation calling for more than a 90-day jail sentence.

Not more than 3 months imprisonment and/or a \$500.00 fine if charged because of failure to appear or otherwise comply with the command of a citation.

In other cases you may be subject to a fine and/or imprisonment for Contempt of Court.

Date: April 9, 2014

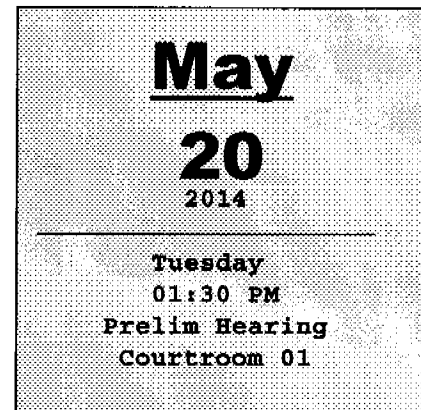
BY THE COURT

Christine A. Witzel



Defendant signature _____

E-mailed:



Danielle J Clark
1733 W 5th Street
Hastings, NE 68901

FILED BY

Clerk of the Hall County Court
04/09/2014

CASE FILE COPY

ORDER TO APPEAR IN COURT

FILED

MAR 25 2014

**IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA
CRIMINAL DIVISION**

DEANNE W. WILSON, CLERK
MAGISTRATE
HALL CO. COURT

CR14-1021

STATE OF NEBRASKA,

Plaintiff,

v.

DANIELLE J. CLARK
1733 W. 5TH STREET
HASTINGS, NE 68901
DOB 12/17/1987

Defendant.

**AFFIDAVIT OF
DOUGLAS C. KLAUMANN
IN SUPPORT OF
ARREST WARRANT**

#565162

OFFENSE:

Count 1 – Fraudulently Obtaining Payment On Behalf Of A Recipient Of Medicaid Assistance (Over \$500.00)– §68-1017 (Class IV Felony)

VICTIM:

Nebraska Medicaid Assistance Program
P.O. Box 95026
Lincoln, NE 68509-5026

PERSON TO BE CHARGED:

Danielle J. Clark
1733 W. 5th Street
Hastings, NE 68901
DOB 12/17/1987
OLN NE H13104492

DATE AND LOCATION OF INCIDENT:

September 6, 2012 to March 31, 2013
Doniphan, Hall County, Nebraska



WITNESSES:

Keri Ryan, Senior Auditor
Medicaid Fraud and Patient Abuse Unit
2115 State Capitol
Lincoln, NE 68509

Lea Clauss, Investigator
Nebraska Department of Health and Human Services
Medicaid Program Integrity
P.O. Box 95026
Lincoln, NE 68509-5026

Dan Rinaldi, Investigator
Department of Health and Human Services
Division of Public Health
116 South Pine Street
Grand Island, NE 68801

Stacy Eickman
3811 W. 29th Ave., Suite 2
Kearney, NE 68845

Mindi L. Young
2711 W. LaPlatte Road
Kearney, NE 68845

Lorrie Wold
League of Human Dignity
3811 W. 29th Ave., Suite 2
Kearney, NE 68845

COMES NOW Affiant, Douglas C. Klaumann, an investigator with the Medicaid Fraud and Patient Abuse Unit of the Office of the Nebraska Attorney General, who, being first duly sworn, deposes and states that he is a certified law enforcement officer in the State of Nebraska, serving as a Special Deputy State Sheriff per appointment of the Governor.

1. On 05/10/2012 the Medicaid Fraud and Patient Abuse Unit received a referral from Medicaid Program Integrity of an alleged violation. The allegation indicated that Susan Francis, a chore provider, has been billing for hours not worked.

2. I was able to identify additional providers for Randy Reeder of Doniphan, NE with one of those providers being Danielle Clark.
3. I contacted the League of Human Dignity in attempt to obtain additional service provider agreements and time sheets.
4. The investigation determined that Danielle Clark was providing services from Randy Reeder. Clark began working for Reeder on 09/05/2012.
5. Video surveillance was conducted on the Reeder residence in Doniphan, NE and upon beginning the surveillance we observed a white KIA Sorento parked in Reeder's driveway. In talking with DHHS Investigator Rinaldi, he advised that this KIA Sorento belongs to Danielle Clark who is Reeder's current provider. The KIA Sorento has license plate 14-C432 and is a white 2011 KIA Sorento LX four door sport utility vehicle. Rinaldi advised that while he was conducting surveillance, Clark would arrive at Reeder's residence around 1000 hours and would leave around 1230 hours to travel to Hastings. Rinaldi went on to advise that Clark would not return to Reeder's residence until the following day. It should be noted, that in looking at time sheets that Clark submitted to the League of Human Dignity, she indicated that she was providing services for Randy Reeder on an average of 10:00 a.m. to 2:00 p.m. and 9:00 p.m. to 10:00 p.m. every day.
6. On 11/02/2012, I returned to Doniphan and while there observed Danielle Clark's white KIA Sorento parked in Randy Reeder's driveway. I observed the KIA to be there at approximately noon and gone by 1300 hours.
7. Video surveillance began on the Reeder residence at approximately 1330 hours on November 2, 2012.
8. I determined that Danielle Clark could possibly be driving one of two vehicles that she has registered. The first vehicle and probably the primary vehicle, would be the

white 2011 KIA Sorento LX four door sport utility vehicle with 14-C432 license plates or she could be driving a 1992 Ford Taurus with 14-C847 license plates.

9. On 11/09/2012 I spoke with Lorrie Wold of the League of Human Dignity in Kearney, NE and requested the following documents; Danielle Clark's original timesheets and Service Provider agreements from 09/05/2012 to current date. I also advised to send us original timesheet as soon as they received them until we tell them to stop.
10. On 11/13/2012 I received the documents that I had requested form the League of Human Dignity in Kearney. In regards to Danielle Clark's Service Provider Agreement, I was missing page 3. On 11/16/2012 I received the rest of Danielle Clark's Service Provider Agreement page 3 and addendums. Number 8 of the Nebraska Service Provider Agreement – Provider Addendum (MC-10) states, *"Assure that the rate negotiated or charges do not exceed the amount charged to private payers; bill only for services which were authorized and actually provided."* Danielle Clark signed this addendum on 05/25/2012.
11. The Nebraska Service Provider Agreement – Chore/PAS Provider Addendum (MC-195) has a checked box in the Provider Certification section. The checked box states, *"I will bill only for chore/PAS services actually provided. I understand that chore/PAS services may be provided only when a client is physically present (e.g. not hospitalized or in a nursing facility).* In addition, under Billing Agreement, Danielle is authorized to bill hourly (minimum 1 hour but less than 5 hours in a 24 hour period), partial day (minimum 5 hours but less than 13 hours in a 24 hour day) or full day (minimum 13 hours in a 24 hour day). This addendum was signed by Danielle Clark on 05/25/2012.
12. On 12/16/2012 I received N-Focus Billing Documents and timesheets for Danielle Clark. The dates for Danielle Clark's documents were 11/01/12 to 11/15/12 and timesheets 11/01/12, 11/02/12, and 11/05/12 -11/09/12 and 11/12/12 - 11/15/12.

13. On 01/22/2013 I received a fax from the League of Human Dignity for Clark's timesheets for 11/16/2012 through 11/30/2012. They also mailed the December 2012 timesheets.
14. On 01/28/2013 I received the following Billing Documents and timesheets from the League of Human Dignity for Danielle Clark. The documents received were, N-FOCUS Billing Document signed by Danielle Clark for 12/01/12 - 12/15/12 and timesheets 12/03/12-12/07/12 and 12/10/12 - 12-14-12. N-FOCUS Billing Document signed by Danielle Clark for 12/16/12 - 12/31/12 and timesheets 12/17/12 - 12/21/12 and 12/24/12 - 12/31/12. N-FOCUS Billing Document signed by Danielle Clark for 01/01/13 - 01/15/13 and timesheets 01/01/13 - 01/15/13.
15. On 02/27/2013 I received Billing Documents and timesheets from the League of Human Dignity for Danielle Clark. The documents received were, N-FOCUS Billing Document signed by Danielle Clark for 01/16/13 - 01/31/13 and timesheets 01/16/13 - 01/31/13. N-FOCUS Billing Document signed by Danielle Clark for 11/16/12 - 11/30/12 and timesheets 11/16/12, 11/19/12 - 11/23/12, 11/26/12 - 11/30/12. N-FOCUS Billing Document signed by Danielle Clark for 02/01/13 - 02/15/13 and timesheets 02/01/13 - 02/15/13.
16. On 03/06/2013 I received an N-FOCUS Billing Document signed by Danielle Clark for 02/16/13 - 02/28/13 and timesheets 02/16/13 - 02/20/13 and 02/22/13-03/28/13. I also received an N-FOCUS Billing Document signed by Christina Baker for 11/01/12 - 11/15/12 and timesheets 11/03/12 - 11/04/12 and 11/10/12 - 11/11/12.
17. On 04/08/2013 I received N-FOCUS Billing Documents and timesheets signed by Danielle Clark for 03/01/2013 - 03/15/2013 and 03/16/2013 - 03/31/2013. The timesheets indicated that Danielle worked every day in March 2013, billing for partial days.

18. The video surveillance took place from 11/02/2012 through 01/14/2013. From 11/02/2012 through 12/19/2012 I checked the Reeder residence each day. I noted the times that Danielle Clark's white Kia Sorento was at the Reeder residence.

19. The camera was inoperable from 12/20/12 to 01/03/2013 and was not showing the Reeder residence during this time.

20. The video was compared to the timesheets that were submitted by Danielle Clark. The video and my observance showed that there was a great discrepancy in what was being billed and what was actually worked.

Danielle Clark

Average on timesheets – MWF 5 hours 4 minutes
TTH 5 hours 5 minutes
SS 5 hours 8 minutes

Average from camera – MWF 2 hours 7 minutes
TTH 1 hour 5 minutes
SS None (Did work one Saturday with that being 01/12/2013 from 1106 hours – 1156 hours but Claimed 1000 hours – 1400 hours.

21. On April 17, 2013 at approximately 3:40 PM Senior Auditor, Keri Ryan and I met with Danielle Clark in the Hastings office of the Department of Health and Human Services. Prior to beginning the actual interview, I obtained demographic information concerning Danielle and also determined that she drives a 2011 white Kia Sorento. I advised Danielle that she was free to leave whenever she wanted and that although the door was closed, it was not locked and that the reason it was closed was so other people would not interrupt us.

22. Danielle stated that she started providing services for Randy Reeder in September of 2012 and is currently still providing services for him. When asked, Danielle advised that she provides the services for Randy in his home in Doniphan, NE.

23. I showed Danielle a Service Provider Agreement at which time she indicated that her signature was on that Service Provider Agreement and it was dated May 25, 2012. I also showed her a Service Provider Agreement addendum at which time she advised that she also signed this and signed it on the same date as the original. When asked, Danielle advised that she did not get a chance to read the Service Provider Agreement or addendum as she had to sign them in a hurry. I showed Danielle the chore provider addendum at which time she stated that she signed it. I asked if she placed a check mark next to the line that said that she could only bill for chore or PAS services actually provided and only bill when a client is physically present not when that subject is in the hospital or a nursing facility. Danielle stated yes. Auditor Ryan asked Danielle if she provided services for anyone before Randy Reeder at which time Danielle indicated that there were a few people, possibly two and maybe a fill-in position. I asked Danielle if anyone ever explained to her or told her that she could only bill for services that she actually rendered and that she had to work the hours that she put down at which time she stated she did believe so.

24. I advised Danielle that for the last several months we were conducting surveillance and had a camera working. I advised Danielle that I knew what time she was coming and going and that this was her opportunity to tell the truth.

25. Danielle explained that she was told to bill the way she did, so Randy Reeder wouldn't lose his hours. Danielle advised that Mondays, Wednesdays and Fridays were Randy's bathing days, and on average she would work from either 10:00 or 10:30 AM until 12:30 or 1:00 PM, and sometimes maybe 1:30 PM. She advised that she would put down on the timesheets that she was there from either 9:30 AM or 10:00 AM until 2:00 PM every Monday, Wednesday and Friday. She went on to

state that on Tuesdays and Thursdays she would wash his hair for him in the shower. Danielle also advised that not only was she billing during the daytime hours but she also would bill from 9:00 PM to 10:00 PM. She did advise that she did work a couple times at night and this was when Randy's wife hurt her back. However, she stated that the maximum number of times she may have worked at night time would be three times. Danielle went on to state that on Tuesdays and Thursdays she would again put down that she either worked from 10:00 or 10:30 AM until 12:30, 1:00, and sometimes 1:30 PM. However, she actually only worked approximately one hour at the most.

26. Auditor Ryan clarified the average times and determined that on Mondays, Wednesdays and Fridays a good estimate was that Danielle would be at Randy's residence for two to two and one half hours. Then on the non-bathing days of Tuesdays and Thursdays Danielle would be at the Reeder residence for approximately one hour. Auditor Ryan also clarified that on Saturdays and Sundays if she did happen to work the most she would be there was for one hour and that was very rare. Danielle advised that occasionally she would be told on Fridays that she would be needed to work on the weekend. I advised Danielle that on Thanksgiving, which was November 22, 2012, she put down on the timesheet that she worked from 10:00 AM to 2:00 PM and again from 9:00 PM to 10:00 PM, but I noted that no vehicle was there. In addition, I noted that the day prior to that during the evening hours Danielle's vehicle was not there. I asked Danielle if she worked Christmas Day at which time she stated that she did not think so. I also asked if she worked Christmas Eve night and again she did not think so. I asked Danielle if she worked New Year's Eve or New Year's Day and again she stated no.

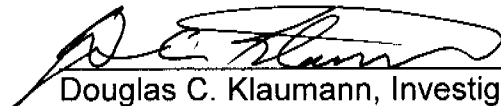
27. In speaking with Randy Reeder, I asked him why he only had Clark work one to two hours a day but sign off showing that she worked a partial day. He replied "because they wouldn't come out otherwise."

28. Services provided to Reeder by Danielle Clark from September 6, 2012 to March

31, 2013 were reviewed during this investigation. During this time period Clark was paid \$8,588.35 on 14 claims. Auditor Ryan used statements made by Clark during her interview with Investigator Klaumann and Auditor Ryan along with data obtained during surveillance to determine an overpayment. Clark stated that she worked approximately 2.5 hours on Mondays, Wednesdays, and Fridays so all time exceeding 2.5 hours on those days of the week were determined to be an overpayment. Clark stated that she worked approximately 1.0 hours on Tuesdays, Thursdays, Saturdays, and Sundays so all time exceeding 1.0 hours on those days of the week were determined to be an overpayment. All hours billed on Christmas Day (December 25) and New Year's Day (January 1) were determined to be an overpayment as Clark said she did not work those days. Clark also stated that she worked approximately 3 evenings, so Auditor Ryan allowed 1 hour for 3 evenings from September 6 to September 10, 2012). For all days where surveillance was conducted, the actual time Clark's vehicle was at the Reeder residence, rounded to the nearest quarter hour, was used to determine the overpayment. Auditor Ryan determined that the total overpayment for services not rendered by Clark from September 6, 2012 to March 31, 2013 is \$6,086.87 on 14 claims.

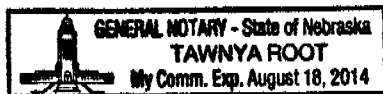
WHEREFORE Affiant further prays that a Warrant of Arrest for Count 1 – Fraudulently Obtaining Payment On Behalf Of A Recipient Of Medicaid Assistance (Over \$500.00)– §68-1017 (Class IV Felony), be issued Danielle J. Clark.


Dated this 21ST day of MARCH, 2014.



Douglas C. Klaumann, Investigator and
Deputy State Sheriff
Medicaid Fraud and Patient Abuse Unit
Office of the Attorney General

Subscribed and sworn to before me presence this 21st day of March, 2014.





Notary Public

Probable cause hearing. Testimony taken by sworn affidavit or sworn statement under oath of Deputy Douglas C. Klaumann. Finding: probable cause exists for warrant to issue. Warrant issued.



Judge 

MAR 25 2014

**IN THE COUNTY COURT OF HALL COUNTY, NEBRASKA
FELONY COMPLAINT**

NEBRASKA ATTORNEY GENERAL
CLERK MAGISTRATE
HALL CO. COURT

STATE OF NEBRASKA,

Plaintiff,

v.

DANIELLE J. CLARK
1733 W. 5TH STREET
HASTINGS, NE 68901
DOB 12/17/1987

Defendant.

Case No CE14-1021

DC #CE14-272

Fraudulently Obtaining Payment on
Behalf of a Recipient of Medicaid
Assistance over \$500.00
§68-1017(1)(c)
Class IV Felony

On the complaint and information of Douglas C. Klaumann, a sworn Nebraska law enforcement officer with the Office of the Nebraska Attorney General, made in the name of the State of Nebraska before me the undersigned Notary Public, who being duly sworn on oath says that the above-named defendant, in the County and State aforesaid, did then and there:

from September 6, 2012 to March 31, 2013, in that she, as a vendor or provider of medical assistance and social services, by means of a willfully false statement or representation, or by impersonation or other device, obtained or attempted to obtain, (c) a payment made on behalf of a recipient of medical assistance or social services administered by the Department of Health and Human Services, in the aggregate amount of five hundred dollars or more. (\$6,086.87)

contrary to the form of the statute in such case made and provided, and against the peace and dignity of the State of Nebraska.

Dated this 21st day of March, 2014 in Lincoln, Lancaster County, Nebraska.

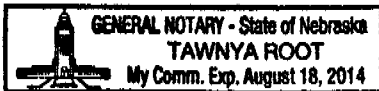


STATE OF NEBRASKA, Plaintiff



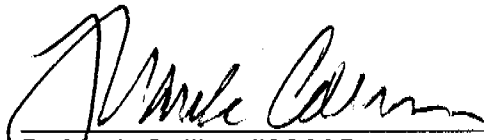
Douglas C. Klaumann
Investigator, Medicaid Fraud & Patient Abuse Unit
Office of the Attorney General
2115 State Capitol
Lincoln, NE 68509-8920
402-471-6294

SUBSCRIBED AND SWORN to in my presence this 21st day of March,
2014.


Notary Public

CONSENT OF PROSECUTING ATTORNEY

The undersigned Assistant Attorney General, pursuant to Neb. Rev. Stat. § 29-404,
hereby consents to the filing of this complaint.



D. Mark Collins #22835
Assistant Attorney General
Director, Medicaid Fraud & Patient Abuse Unit
Office of the Attorney General
2115 State Capitol
Lincoln, NE 68509-8920
402-471-3843

STATE COMPLAINT

WITNESSES FOR THE STATE

Keri Ryan, Senior Auditor
Medicaid Fraud and Patient Abuse Unit
2115 State Capitol
Lincoln, NE 68509

Lea Clauss, Investigator
Nebraska Department of Health and Human Services
Medicaid Program Integrity
P.O. Box 95026
Lincoln, NE 68509-5026

Dan Rinaldi, Investigator
Department of Health and Human Services
Division of Public Health
116 South Pine Street
Grand Island, NE 68801

Stacy Eickman
3811 W. 29th Ave., Suite 2
Kearney, NE 68845

Mindi L. Young
2711 W. LaPlatte Road
Kearney, NE 68845

Lorrie Wold
League of Human Dignity
3811 W. 29th Ave., Suite 2
Kearney, NE 68845

ENDORSEMENT AND PRAECIPE

Hall County Department of Corrections
Inmate Waiver of Personal Appearance
Renuncia de Presidiario hacia Aspecto Personal
 ي ص خ ش ل ا ل و ث م ل ا ن ع ل ز ا ن ت ل ا ن ي ج س

FILED

APR 09 2014

HEYNALDA A CARPENTER
 CLERK MAGISTRATE
 HALL CO COURT

Nebraska State Statute 29-4203 allows a prisoner to make an audiovisual court appearance for certain hearings, thus waiving their right to make a personal appearance.

CR14-1021

El Estatuto 29-4203 de Estado de Nebraska permite que un preso haga un aspecto de tribunal audiovisual para ciertas audiencias, así renunciando su derecho de hacer un aspecto personal.

ه ي ر ص ب ه ي ع م س ه م ك ح م ل ا ل ع ج ل ا ن ج س ل ل ح م س ي و ق ل و د ل ل ي س ا س ا ل ا م ا ظ ن ل ا 29-4203 ا ك س ا ر ب ن ر م ظ م ل ا ة ي ص خ ش م ي ن ق ت ي ف م ه ق ح ن ع ل ز ا ن ت ل ا م ت ن م و ، ع ا م ت س ا ل ا ت ا س ل ج ض ع ب ر و م ظ ل

I, Danielle Clark do hereby waive my right to a personal court appearance and elect to conduct those hearings allowed by law by means of an audiovisual system. I further acknowledge that I have viewed a film describing my rights pertaining to these Court proceedings.

Renuncio realmente por este medio mi derecho a un aspecto de tribunal personal y decido conducir aquellas audiencias permitidas según la ley por medio de un sistema audiovisual. Adelante reconozco que he visto una película que describe mis derechos que pertenecen a estos Procedimientos judiciales.

ت ا س ل ج ا ر ج ا ل ب خ ت ن م ل ا ر و م ظ و ه م ك ح م ل ا ي ل ا ي ص خ ش ل ا ي ق ح ن ع ل ز ا ن ت ل ا ا ذ ه ب م ا ي ق ل ا ، ل و ا ل ا ن ا ف ر ت ع ن ا ا ض ي ا ي ل م ا ظ ن ل ا ه ي ر ص ب ه ي ع م س ل و ا س و ب ن ا ج ن م ن و ن ا ق ل ا ه ب ح م س ي ع ا م ت س ا ل ا ه ي ا ع ا ض ق ل ا ت ا ع ا ر ج ا ل ا ذ ه ب ه ل ص ت م ل ا ن ا س ن ا ل ا ي ل ب ف ص ص ت م ل ي ف ي ل ا ر ظ ن ي ن ق ن و ك ا

Date: _____
 Fecha _____
 خ ي ر ا ت

Inmate: Danielle Clark
 Presidiario _____
 ل ي ز ن

Date: 4-9-14
 Fecha _____
 خ ي ر ا ت

Witness: CO Williamson
 Presidiario _____
 ل ي ز ن