

DISTRICT / COUNTY COURT
COUNTY OF PUEBLO
STATE OF COLORADO

DATE FILED: September 28, 2022 3:10 PM
FILING ID: 5BD2E4A38024A
CASE NUMBER: 2022CR1418

AFFIDAVIT OF PROBABLE CAUSE FOR ARREST WARRANT

1. The affiant, Matthew Adams, Criminal Investigator with the Medicaid Fraud Control Unit of the Colorado Attorney General's Office, a peace officer, being duly sworn upon oath, says that the facts stated herein are true.

2. I am a criminal investigator and commissioned peace officer employed by the Colorado Attorney General, assigned to the Medicaid Fraud Control Unit, Criminal Justice Section. I have been employed as a peace officer for over 28 years, most recently as an Attorney General Investigator, investigating complex crimes, and other violations of the Colorado Revised Statutes.

3. I have probable cause to believe that:

RENEE DANIELLE FASANO

DOB: [REDACTED]

SSN: [REDACTED]

described as a white female with blonde hair and hazel eyes

has committed the offenses outlined in the attached Felony Complaint and Information. These offenses are:

COUNT ONE: 24-31-808(1)(a) Medicaid Fraud – Felony 3

COUNT TWO: 24-31-808(1)(g)(I) Medicaid Fraud – Felony 5

REASONS FOR MY BELIEF

The affiant informs the court that:

MEDICAID:

Medicaid is a combined state and federal program that pays for essential medical care and services for the categorically needy (C.R.S. 25.5-1-101, et. seq.). It is funded by the state and federal governments and is administered by the Colorado Department of Health Care Policy and Financing (HCPF). The medical care and services are provided by private individuals, organizations, and companies, which are then reimbursed by the State of Colorado.

HCPF:

The Colorado Department of Health Care Policy and Financing (Department) or (HCPF), is the single state agency that administers and monitors the Medicaid program. HCPF uses private companies known as providers to administer services for Medicaid clients.

MFCU AUTHORITY:

Section 1903(q) of the Social Security Act gives a state Medicaid Fraud Control Unit (MFCU) responsibility for the investigation and prosecution of all applicable state laws regarding any aspect of fraud in connection with the provision of medical assistance, and for reviewing and acting on any complaints regarding abuse and neglect of patients of health care facilities receiving payment under the federal medical assistance programs.

MONIKER USAGE TO ID MEDICAID RECIPIENTS:

The Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule covers all identifiable information or personal health information (PHI) about a patient that is transferred to or maintained by a healthcare provider. In order to protect the privacy of medical information regarding individual Medicaid Clients referred to in this affidavit; I have identified the adult Medicaid Client mentioned with the moniker "AMC". A separate key with the Medicaid client's specific identifying information will be maintained and made available to the Court upon request and as appropriate during future legal proceedings.

PROVIDER AGREEMENTS:

In order to become a provider, the provider signs a Provider Participation Agreement which states in part: "The Provider and any person signing the claim or submitting electronic claims understand that failure to comply with Medicaid regulations in a true and accurate manner will result in any available administrative or criminal action available to the Colorado Medicaid Program, the Medicaid Fraud Control Unit, or other government agencies. The knowing submission of false claims or causing another to submit false claims may subject the persons responsible to criminal charges, civil penalties, and forfeitures."

CURRENT PROCEDURAL TERMINOLOGY (CPT):

Listing of descriptive terms and identifying codes for reporting medical services and procedures. CPT is a registered trademark of The American Medical Association (AMA) and is updated annually. The first edition was in 1966. CPT is available both online and in printed format. In 2000, the CPT code set was designated by the Department of Health and Human Services as the national coding standard for physician and other health care professional services and procedures under HIPAA. This means that for all financial and administrative health care transactions sent electronically, the CPT code set will need to be used.

On 08/17/2020 the affiant was assigned this case after the MFCU received a complaint from HCPF about unusual billing activity. [REDACTED]

[REDACTED] HCPF reported to the MFCU that they had pulled claims data for SC Telehealth LLC between 02/10/2020 and 08/07/2020 and suspicious billing patterns were identified.

- A total of \$577,935.82 was billed for services rendered between 3/3/20 – 4/12/20.

- [REDACTED] also is listed as the rendering provider on claims [REDACTED]
- From 3/9/20 – 4/12/20 services were rendered every day of the week.
- On 4/1/20, [REDACTED] received reimbursement for \$36,798.88, the highest amount.
 - o Claims were submitted for services rendered [REDACTED]

o 43 claims for code 90834 were paid, this code is for psychotherapy and is described as PSYTX W PT 45 Minutes. This code can be billed when 38-52 minutes of psychotherapy is rendered. Even assuming only 38 minutes of services was provided, this represents 27.24 hours of services being provided in one day by a single rendering provider, along with all the other services billed

Supervisory Investigator Bruce Norton, MFCU, reviewed the information and noted:

I reviewed the referral documents and believe it is highly unlikely this provider could provide this level of service with a single rendering provider. On April 1, 2020, [REDACTED] the provider billed all clients using the office/outpatient code of 99215. Procedure code 99215 represents the highest level of care for an established patient. There are numerous other procedures billed for [REDACTED]. Some of the items billed are behavior health codes which are time codes of 30 to 45 minutes per client. These codes should not be billed directly to HCPF (FFS) but should have been billed through a RAE (behavior health codes). If this provider is only doing telemedicine, I noticed some of the items that were billed involved blood draws and what appears to be physical therapy.

Your affiant was able to determine that SC Telehealth Clinic LLC was founded by Renee Fasano, 1013 Candytuft, Pueblo, Colorado 81001, on 01/16/2020 at 4:26 pm according to Colorado Secretary of State [REDACTED]. According to HCPF Renee Fasano is the owner and contact for SC Telehealth Clinic LLC. Your affiant was able to confirm Fasano's provider information through the production interchange DTX database from Colorado Medicaid. Your affiant was further able to confirm [REDACTED]

On 08/20/20 your affiant called SC Telehealth and spoke to Renee Fasano to confirm her email address so she could be sent a records request. Fasano did not seem at all surprised for your affiant to be calling her.

She said she did not know if your affiant had been getting her messages. Your affiant was not sure what she meant, but as we talked it appeared that she had spoken to HCPF already. She said it had taken her about 2 years to get the business up and running [REDACTED]

She said "they" were doing some kind of training using copies of claims and adding to them. She said it was for the Telehealth. Fasano said she has been going back in and editing the claims and then called immediately. She claimed she was told it was a glitch in the system and you could see that the claims were repetitive. Your affiant asked her who had actually entered the claims and she said it was a "kid" she had working for her and in training named [REDACTED]

Fasano she had corrected a few of the days. Your affiant asked her if she called HCPF and she said it was DTX (the Medicaid interchange website) but she had been calling them and telling them there was a problem with the billing. She said she did not understand that if they (HCPF) knew there was a problem, why did they not shut the claims down earlier.

Your affiant asked about [REDACTED]. She said [REDACTED] also had "students" [REDACTED] that were helping with the services. Your affiant told her she could respond to my email with a written statement if she wanted.

Your affiant told Fasano that some of the items being requested were the notes and asked if they were in a digital format. She said that some were, but others were not. She said [REDACTED] spoke to all the clients and that when things went wrong with the billing, they shut everything down.

Fasano told your affiant [REDACTED]. Fasano said when she called Medicaid, she was told that there were dates that needed to be fixed. She gave me 4 reference numbers for her conversations with Medicaid. She remembered speaking to [REDACTED]. She again referenced a system glitch. Fasano told me she called 844-235-2387 (HCPF) and had received calls [REDACTED]

Your affiant spoke with [REDACTED] and asked her help in looking at the billing for Telehealth. She was able to research more and found that Renee Fasano had some of her own

relatives as clients for the business and Medicaid was billed for their services. Using the billing records we already had, [REDACTED] searched for data under the [REDACTED]

[REDACTED] is shown to be the [REDACTED] found that [REDACTED] had also billed Medicaid [REDACTED] another clinic in Pueblo, Colorado.

Your affiant contacted Sarah Geduldig from HCPF-PI and asked her for banking information for Telehealth. Your affiant received a reply and learned they had an account at [REDACTED]

[REDACTED] The cancelled check copy on file with HCPF showed the business name SC Telehealth Clinic LLC, listing [REDACTED] as [REDACTED]

Your affiant looked on Facebook and while he did find Renee's profile there was nothing on it that is relevant to this case. [REDACTED]

[REDACTED] has a Facebook page that had [REDACTED]

[REDACTED] When your affiant clicked on the link for [REDACTED], your affiant could see [REDACTED] that it [REDACTED]

Using the billing records we already had, [REDACTED] searched for data under the rendering provider at Telehealth, [REDACTED]. [REDACTED] found that [REDACTED] had also billed Medicaid as a [REDACTED] at [REDACTED], another clinic in Pueblo, Colorado. [REDACTED] discovered that [REDACTED] that were on Telehealth's roster, were also patients at [REDACTED]

I emailed Sarah Geduldig again and gave her the reference numbers that Fasano had given me. Geduldig was able to get me recordings of the calls to HCPF. [REDACTED]. The caller sounded like the same person I spoke to on the phone and identified herself as Renee Fasano. Renee was calling about a claim that was not being paid. [REDACTED]

██████████ told the Fasano the claim was under pre-payment review. Rebecca submitted a question about the pre-payment review to her supervisor. Rebecca mentioned about the billing provider under pre-pay review, and something on a "provider restriction table." Rebecca was not familiar with the terms and sent the question over to "research."

██████████ The caller identified themselves as Renee and sounded like the same person I spoke to on the phone and identified herself as Renee Fasano was calling to return Rebecca's call. ██████████ was trying to help and tried to get Rebecca in the call as well. ██████████ said Fasano would get a call back.

██████████ The caller sounded like the same person I spoke to on the phone and identified herself as Renee Fasano. ██████████; SC Telehealth trying to reach Rebecca. Rebecca could not come on to the call. Said Rebecca would be in touch with her.

██████████ was a call that was undated but sounded like the same person that identified themselves to me as Renee Fasano. She was speaking to ██████████ about her billing not going through. During the call she mentioned a computer error and played back a message from ██████████. In the message, ██████████ explained that Telehealth was under pre-payment review and was being investigated. There was no mention of a computer error by ██████████.

Supervisory Investigator Zach O'Leary checked the Department of Labor Database and ██████████. Krenson had reported wages at ██████████ from the 3rd quarter of 2015 through the 3rd quarter 2018. Fasano had also worked at ██████████ from the 1st quarter of 2016 through the 1st quarter of 2017.

On 8/28/20 at about 9:30 am Renee Fasano called your affiant. Fasano asked if your affiant had received her email. Your affiant had not. She said it was sent Tuesday (8/25/20) and replied to the Barracuda secure email and also to my main account at the Attorney General's Office. She said that one sent to my main account was kicked back. After getting off the phone there were no emails in my junk mail folder, in the Attorney General's Spam account and your affiant had not been notified by Barracuda that a reply had been received.

Fasano explained that the person filling out her billing had submitted all the treatment dates the same as the billing date, so the billing could pass 24 hours in a given day. She said she was still trying to change the submissions.

Your affiant asked her if the money, the payments she had received were correct. Fasano said no, and they had overbilled. She said her person was copying the claims in the Medicaid website and not generating a new claim for each treatment. She said they copied and added to the claim. She added that billing for clients were submitted for the original billing code, and that follow-ups billed under the same code rather than as a follow-up.

She said you could see there was no thought behind it rather than a plan to defraud the government. She added, "The money will get paid back." She sounded frustrated and said she did not know what to do. I told her I could not give her advice, but I did need her records. Fasano asked if she needed an attorney and I said that was up to her.

She said she had worked for 2 years to set everything up and it was not her fault that she got sick. I suggested she contact Medicaid and they might be able to answer some of her questions. She said that she was trying "to make it right" and pay back the money. I again suggested she contact Medicaid.

Your affiant reminded her to stay in touch about the records. Your affiant told her we needed everything. Fasano told me all she had were the just the telehealth records from the provider. She told me the provider worked for a clinic that was not set up for telehealth, and that SC Telehealth provided that service. Fasano said the software they used was having problems and causing some of the errors.

Fasano said she called Medicaid and told them there was a problem. I remembered from listening to the calls to HCPF that Fasano did not tell them she had overbilled, she was wondering why she did not get paid.

On 09/02/2020 your affiant personally delivered the Request for Records letter to [REDACTED]

On 09/03/20 at about 1:19 pm Renee Fasano left your affiant a voicemail on his work telephone number. She said she had talked to HCPF and was told to stop trying to fix the records, and to send her an email directly from my COAG account. Fasano said she had spoken to Bart Armstrong at HCPF, and she should not be making the corrections and it was making it harder. Your affiant sent her an email so she had my address and she responded with a short email and 5 attachments that appear to be screenshots from a telephone to demonstrate that she had been trying to email me. It appears from the screenshots she was replying to the encrypted email your affiant had sent her with the records request:
[REDACTED]

Your affiant emailed Sarah Geduldig from HCPF and she called a short time later. She confirmed that Fasano had called her. Geduldig added that she was getting information together about one of Telehealth's clients that had received text messages from them, and later found out that she had been billed through Medicaid for about \$1800.00.

Supervisory Investigator Norton wrote in his report:

On September 10, 2020, I was notified by Sarah Geduldig (HCPF-PI) they had received another referral on SC Telehealth. She advised me the documents were added to the original referral, located on the HCPF SharePoint site.

On September 21, 2020, I downloaded the documents and placed them into the same report folder as this report.

On September 21, 2020, I notified Investigator Adams that I received additional documents from HCPF-PI on this case.

On 09/22/20 your affiant read the supplemental report from SI Norton on the additional information he had received from HCPF (report 10). HCPF had received another complaint from a client identified as Adult Medicaid Client #1 (AMC1).

In the referral the information from HCPF reads:

(AMC1) reports receiving suspicious mail and text messages stating she should confirm Medicaid billing for telehealth

services by a provider named [REDACTED] whom she has never seen. AMC1 stated she believed these contacts were (sic) coming from her primary care, [REDACTED] whom she has not seen since November 2019.

It continues:

Review of these claims shows billing by provider SC Telehealth Clinic LLC, listing [REDACTED] from 3/5/20 – 4/9/20. [REDACTED] is a currently [REDACTED] and has a listed association with [REDACTED]

Your affiant also reviewed the spreadsheet detailing the billing for AMC1 for the dates between 03/05/20 and 04/09/20 and found the following billing details.

On 03/05/20 Medicaid was billed for procedures “provided” to the client:

- 99407: Smoking cessation, greater than 10 minutes.
- 99215: Office or outpatient evaluation and management of an established patient, which requires at least two of these three key components: a comprehensive history; a comprehensive examination; medical decision making of high complexity.
- 94664: Evaluation of patient use of inhaler/nebulizer.
- 97110: Therapeutic exercises.
- 97112: Neuromuscular re-education.
- G0108: Diabetes management training.
- 99354: Direct face-to-face patient contact that requires one hour beyond the usual service, when billed on the same day by the same physician or qualified NPP as the companion evaluation and management codes
- 99403: Preventative medicine counseling or risk factor reduction.
- G8431: A positive screening result for depression.

On 03/09/20 Medicaid was billed for the following procedure codes on the same client. They were:

- 99408: Alcohol and or substance abuse not including tobacco, 15-30 minutes.

- 97110: Therapeutic exercises.
- 99408: Alcohol and or substance abuse not including tobacco, 15-30 minutes.
- 94664: Evaluation of patient use of inhaler/nebulizer.
- 99407: Smoking cessation, greater than 10 minutes.
- 99347: Home visit for the evaluation and management of an established patient, which requires at least 2 of these 3 key components: A problem focused interval history; A problem focused examination; and straightforward medical decision making.
- G8431: A positive screening result for depression.
- 99407: Smoking cessation, greater than 10 minutes.
- G8431: A positive screening result for depression.
- 99347: Home visit for the evaluation and management of an established patient, which requires at least 2 of these 3 key components: A problem focused interval history; A problem focused examination; and straightforward medical decision making.
- 99408: Alcohol and/or substance (other than tobacco) abuse structured screening, and brief intervention.
- 97112: Neuromuscular re-education.
- 99402: Preventative medicine, individual counseling services.
- 97112: Neuromuscular re-education.
- 94664: Evaluation of patient use of inhaler/nebulizer.
- 99407: Smoking cessation, greater than 10 minutes.
- 99402: Preventative medicine, individual counseling services.
- 97112: Neuromuscular re-education.
- G8431: A positive screening result for depression.
- 99345: Home visit for the evaluation and management of a new patient, which requires these 3 key components: A comprehensive history; A comprehensive examination; and, medical decision of high complexity.
- 97110: Therapeutic exercises.
- 97110: Therapeutic exercises.
- 94664: Evaluation of patient use of inhaler/nebulizer.
- 99402: Preventative medicine, individual counseling services.

On 04/09/20 the following codes were submitted for billing on this same Medicaid client:

- 96113: Developmental and Behavioral Screening and Testing.
- 97112: Neuromuscular re-education.

On 09/22/20 your affiant spoke to AMC1. Your affiant explained to her that he was following up on the complaint she had made to HCPF. AMC1 spoke with your affiant over the telephone.

Your affiant asked her to tell me about the complaint. She said she worked with a "Renee" at Wells Fargo some years ago, and later worked at [REDACTED] AMC1 started going there as a patient and then [REDACTED], lost her license and had other nurse practitioners coming into the clinic. AMC1 said it was "not a good fit" for her and not very professional. She believes the last time she was at the clinic was July 2017 and maybe once or twice after that for allergy shots.

She said she doesn't talk to Renee very much and lost touch with her. She received a message from Renee on Snapchat about 2 weeks before reporting her concerns to HCPF. AMC1 recalled the message as saying something like, "Hey girl I hope you're doing OK. If Medicaid reaches out to you about some of your visits make sure you tell them you were here."

AMC1 thought it was strange because she hadn't been to the [REDACTED] since 2017. A week later she got a letter in the mail she felt was suspicious. The letter told her she would be receiving some bills for telehealth.

AMC1 never had any appointments with telehealth. AMC1 said there were typos in the letter, and it appeared unprofessional, she looked up the return address and according to Google was a vacant lot. [REDACTED]

[REDACTED] Your affiant saw that an [REDACTED] is reported to be living [REDACTED] AMC1 read the letter to me over the phone and from the scanning your affiant received later, it read:

Dear Medicaid Patient,

We wanted to take the time to let you know that if at any time you spoke to your provider over the phone or spoke to a medical care person you may notice that they bill Telehealth Services through Southern Colorado Telehealth AKA SC Telehealth. If you have been seen anywhere from 2018 through 2020.

Examples may be, med refills when office closed, referral, snowstorms, office was closed, *perhaps provider* was unable to make it in, on call services, or emergency services. however providers still must bill out and document a chart. Do not be alarmed its just the process of your MD, Nurse Practitioner and or specialist. Please feel free to reach out to us at 719-287-9892 should you have any questions or concerns. The billing may reflect January through April 2020.

This will have NO effect on you as far as coverage or billing it is a courtesy. Going forward it should reflect immediately. Just like with everything worth it takes time. We appreciate your understanding and cooperation.
Sincerely,

Telehealth Billing

AMC1 added on the [REDACTED]. Renee contacted her again via text message. AMC1 later took screenshots of the messages and emailed them to your affiant.

Your affiant went over a few of the services she allegedly received like smoking cessation, using an inhaler, physical therapy. She said she had not received and did not need any of them. She did not have any tele-visits with SC Telehealth. She does not have diabetes and has never had any treatment for that as was billed to Medicaid.

AMC1 no longer has the message from Snapchat (they auto delete after 24 hours). AMC1 received the text messages [REDACTED] [REDACTED] and the contact information in her phone was for Renee Fasano, spelling her last name for your affiant. AMC1 said she did not think what was going on was right and reported it. She said she would be sending the original letter certified to make sure we got it.

AMC1 has not spoken to [REDACTED] about these claims because she did not want to cause problems for herself. She was unaware if SC Telehealth was providing telehealth for [REDACTED]. She described a nurse practitioner there that she saw who she felt was unprofessional.

She described her as a "nutcase." In her mid-50s, looked like a "crackhead," 160-170 pounds. Missing some teeth. Your affiant asked [REDACTED] and she said that it was. [REDACTED]

AMC1 did send your affiant telephone screenshot images of the text messages on 09/23/2020. The initial message from Fasano is undated, and reads, "Hey (AMC1) sorry to bother u its Renee did u get my message last week".

AMC1 responded on 08/24/2020 at 4:38pm, "No but been [REDACTED] What's going on".

Fasano, "Omg I'm sorry love. Do u need anything?"

AMC1, "Nope."

Fasano, "I'm sorry to even bother you. If anyone reaches out from Medicaid I did billinh (sic) telehealth rebill can u say u spoke with [REDACTED] for services I billed in March".

Fasano, "And now audit. Just messed up. It was billed via telehealth for what u did see her for."

AMC1, "For what in March ?"

Fasano, "I feel for u love I was diagnosed with terminal illness so I get it."

Fasano, "I billed March & April so in those time frames please ty."

Fasano, "Sorry I'm MIA just been dealing with all this but if u need me please please reach out. Xo".

AMC1, "I haven't been there in over a year so I'm confused".

Fasano, "Can u talk ill (sic) explain".

[REDACTED]

Fasano, "Oh I misunderstood omg just reach out if you van (sic) when you can so sorry".

On 10/27/2021 your affiant applied for and received a production of records order through the Denver County Court. Your affiant personally served Wells Fargo Bank at [REDACTED]; for bank account information for SC Telehealth. The order was received by a bank service manager.

On 12/14/2021 your affiant received a letter from Wells Fargo with instructions on how to access the records and a supplied reference number. Your affiant then emailed Wells Fargo subpoena compliance with the reference number in order to get a link to the documents requested.

Your affiant obtained the bank records for SC Telehealth. The records show the account had been opened by Renee Fasano on 02/19/2020 with an initial deposit of \$500.00. According to the signature cards form, [REDACTED] for SC Telehealth Clinic LLC was in the name of Renee D. Fasano as the "sole owner" with "100.0" percent of ownership, and only signer on the account. Bank statements were directed to Fasano's home address.

Upon examination of the bank statements themselves your affiant found payments to SC Telehealth's account from Medicaid under the depositor name "HCclaimpmt." The payments and their dates were as follows:

3/26/2020	17891.68
4/2/2020	55898.6
4/9/2020	34140.15
4/16/2020	22278.64
4/23/2020	25283.26
4/30/2020	8912.37
5/7/2020	21942.78
5/14/2020	21019.65
5/21/2020	13330.54
5/28/2020	15503.59
6/4/2020	28318.86
6/11/2020	22334.64
6/18/2020	34491.09

6/25/2020	34880.48
7/2/2020	33978.28
7/9/2020	64319.58
7/16/2020	49028.43
7/23/2020	17226.18
7/30/2020	27017.13
8/6/2020	30139.89
TOTAL	\$577,935.82

On the same date of the first Medicaid payment, money began being transferred to Fasano's checking account. The transfer amounts and the date they were posted were:

3/26/2020	2000
3/27/2020	2000
3/30/2020	3500
4/1/2020	1000
4/2/2020	3000
4/6/2020	5500
4/8/2020	9000
4/15/2020	2000
4/17/2020	3000
4/23/2020	2000
4/27/2020	3800
4/28/2020	2000
4/30/2020	1500
5/5/2020	2000
5/7/2020	1500
5/8/2020	3000
5/11/2020	5000
5/12/2020	4200
5/13/2020	2000
5/15/2020	1000
5/18/2020	3000
5/19/2020	2000
5/20/2020	2000
5/22/2020	2000
5/26/2020	5667
5/27/2020	2500
5/28/2020	2500
6/1/2020	4800
6/2/2020	1500

6/3/2020	2600
6/8/2020	1000
6/9/2020	2500
6/11/2020	2000
6/12/2020	1000
6/15/2020	5000
6/16/2020	8000
6/17/2020	7000
6/22/2020	7500
6/24/2020	3500
6/26/2020	2500
6/29/2020	2000
7/1/2020	2000
7/2/2020	1500
7/6/2020	3500
7/7/2020	1500
7/8/2020	1500
7/9/2020	2000
7/14/2020	5000
7/20/2020	2500
7/21/2020	1500
7/23/2020	4067.56
7/27/2020	4500
8/3/2020	3211.41
8/6/2020	1500
8/7/2020	6000
8/10/2020	6200
8/11/2020	1000
8/17/2020	2000
8/28/2020	600
11/2/2020	200
2/5/2021	2000
2/8/2021	2000
2/22/2021	100
7/13/2021	1400
8/13/2021	200
TOTAL	\$185,545.97

The records show Fasano made 4 payments to automobile dealers. \$6500 was paid to Arapahoe Hyundai between 04/10/20 and 04/13/20. Phil Long Ford was paid \$14156.00 on 04/16/20 with SC Telehealth [REDACTED]

Peak Kia was paid \$15947.80 on 06/11/20 with SC Telehealth [REDACTED]

Five cash withdrawals were made from the SC Telehealth account between 04/08/20 and 07/28/20 totaling \$27009.00.

Fasano also made monetary transfers from the SC Telehealth account to accounts of her children. Between 04/06/20 and 08/10/20, Fasano transferred \$13250.00 to [REDACTED]

Between 03/26/20 and 09/21/20 Fasano transferred \$87523.00 to [REDACTED]. On 06/14/20 \$2000 was transferred from [REDACTED] to SC Telehealth; \$500 was transferred to SC Telehealth's account on 09/21/20.

Fasano transferred \$80000 to her [REDACTED] between 07/06/20 and 08/17/20. \$3811.00 was transferred back to SC Telehealth from that [REDACTED] between 01/04/21 and 10/07/21.

Fasano transferred \$93000.00 to the [REDACTED] between 07/06/20 and 08/17/20. \$5800.00 was transferred back between 10/06/20 and 10/12/21.

Once SC Telehealth was placed on prepayment review by HCPF on 08/07/20, there was some interesting activity on the bank account. There was a payment from HCClaimpmt on 08/06/20 for \$30,139.89. The following day funds were transferred from the SC Telehealth account to:

8/7/2020	[REDACTED]	\$15,000.00
8/7/2020	[REDACTED]	\$15,000.00
8/7/2020	[REDACTED]	\$15,000.00
8/7/2020	[REDACTED]	\$15,000.00
8/7/2020	[REDACTED]	\$6,000.00

Between 05/04/21 and 10/12/21 Fasano made internet-based purchases of cryptocurrencies totaling \$26204.64. The balance of the account on 10/27/21, the ending date requested in the court order, was \$339.81.

On 03/01/22 your affiant contacted [REDACTED], of [REDACTED] [REDACTED] by telephone to get additional information about Fasano, and [REDACTED] billing information.

[REDACTED] said her practice offered telehealth, but it was scheduled through another company called EHR. She was able to tell me in the first quarter of 2020 her practice had billed \$68,000 for telehealth, and \$51,000 in the second quarter. Your affiant asked her if she was familiar with SC Telehealth and she said she had not heard of it.

Your affiant told her the service notes received from SC Telehealth were identical to the ones she had provided through her office.

[REDACTED] had been let go in October 2020. She had been failing to show up for work and not providing services.

On 03/07/20 [REDACTED] sent your affiant an email with additional information about Fasano that she had needed to look up. [REDACTED] wrote:

[REDACTED]
Here is the information you requested last Tuesday. [REDACTED] was employed since 06/29/2015. She gave resignation twice and and (sic) rescinded that twice. So 10/15/2020 i asked her to terminate her contract with my business. Renee Fasano has been an employee with [REDACTED] [REDACTED] where she started as a Receptionist 1/4/2016 and became a biller on 12/10/2016. After the information you have shared i (sic) have asked her to resign her position.as of 3/7/2021. I have not heard a response at this time for an official end date. I will work to revoke all privilege's (sic) to our EHR systems and billing information immediately. I have several questions for you if you know or wont (sic)know until investigation is complete? How do we recover business loss? How do we go back and account for these visits that were seen in our clinic in our EHR systems? Are there any resources to help us go thru our financial records with Medicaid to assure that all claims were paid to our business and not the telehealth service (not double billed) ?Do (sic) we need to retain legal counsel for what i assume is theft / embezzlement as well as Medicaid fraud?

I also want to make sure that i let you know we were friends/sisters when she asked to work at my business. She did

Speak to me about wanting to start up a telehealth business and asked if I would refer patients. I want to be clear that I told her no I can do this service in my office why would I refer out and never agreed to refer patients. I had no contract for this service. I remember having conversations with both individuals about not involving my business in their (sic) process. The name of the business I didn't pay attention to it, I also asked the provider if she was going to do that business, she should not be a provider at my office. She assured me she wanted to work at my office not doing telehealth business. I also asked Ms. Fasano (sic) to build her own patient population and EHR. I want to be clear that I (sic) was very adamant about not getting my business involved with their (sic) business venture. I feel like because I was out of the office with COVID at the first of 2020 and then incidental finding of major health issues which kept me out of the office most of end of 2020 into 2021 that my business was an easy target just can't (sic) believe it was by someone I trusted like a family member. Sorry for the long email I (sic) just want to make sure you know my honest account of the situation

On 03/08/21 your affiant contacted [REDACTED] telephone again. Your affiant asked her if Fasano and [REDACTED] were friends at work. She said they were not exactly friends and at times when [REDACTED] would mention [REDACTED] to Fasano, Fasano would respond physically with an eye roll or otherwise act like she did not really care for [REDACTED]

Your affiant asked if Fasano and [REDACTED] had brought up their telehealth business together or separately. [REDACTED] said they were planning on doing it together with [REDACTED] as the practitioner. It was unusual to her because she did not think they were very close. [REDACTED] said she made it clear to them that what they were doing was separate from the clinic, as she had her own means of providing telehealth.

On about 07/14/22 your affiant contacted the [REDACTED] [REDACTED] [REDACTED] office to try and find out good contact information for [REDACTED] [REDACTED] is currently on probation in Fremont County as a transfer case out of Pueblo County, for a traffic offense.

Your affiant left a message for [REDACTED] [REDACTED] contacted me and said [REDACTED] did not currently have a telephone, but your affiant could speak to [REDACTED] Your affiant

called [REDACTED] phone and learned [REDACTED] was not there, but she could get her a message.

When your affiant identified himself to [REDACTED] she asked if it had anything to do with Medicaid fraud. [REDACTED] couldn't recall the name about the Medicaid fraud [REDACTED] told her about but said she would know if she heard it. Your affiant asked if the person's name was [REDACTED] and [REDACTED] said, "Yes, it was."

[REDACTED] said she "knew a lot about it" but didn't want to say more adding [REDACTED] was upset about it. She said [REDACTED] told her Fasano committed Medicaid fraud. [REDACTED] reportedly told [REDACTED] that Fasano tried to get [REDACTED] to say she had seen patients that she had not.

[REDACTED] told your affiant [REDACTED] said Fasano had propositioned [REDACTED] with starting a business around the time of the start of the pandemic. [REDACTED] said she was going to see her that weekend and would be sure to tell her to contact your affiant.

On 07/19/22 [REDACTED] left a voicemail saying she had not been able to get with [REDACTED] because of an emergency with one of her pets. Your affiant called [REDACTED] and she emailed your affiant saying [REDACTED] was supposed to come for her office on 07/28/22 at 1300 hrs.

Your affiant drove to the Fremont County Courthouse in Canon City and went to the [REDACTED]. [REDACTED] arrived after 1300 hrs and after her meeting we were able to talk. The interview was audio recorded and is included with this case.

[REDACTED] said she knew Fasano from working with her at the [REDACTED]. [REDACTED] worked there for 5 or 6 years and Fasano was there before her. [REDACTED] said she was an IRS 1099 employee.

She said it Fasano's idea to start a business. At the time [REDACTED] said she could not because she did not have the privacy or a computer to engage in telehealth. Fasano was to have been the manager of the business. [REDACTED] was to have been the provider. Your affiant asked [REDACTED] if she had seen any patients and she replied, "Not one patient."

[REDACTED] was aware Fasano had used her provider number, and that she had access to it. [REDACTED] said she eventually got her own apartment and

a laptop. She thought it was perhaps August 2021. ██████ said she was ready, and Fasano asked her to come to her house in Pueblo. When she arrived, she saw Fasano's yard had been landscaped and ██████ ██████ in the driveway. Your affiant asked if the car was a Kia and ██████ said it was.

Fasano allegedly told ██████ that she had "billed" Medicaid for some patients. ██████ told her that she had not seen them. Fasano said she filled out the charts. Fasano allegedly told ██████ she needed to start calling the patients and tell them their company had seen them in case Medicaid calls them.

Fasano allegedly said "I can get it fixed ██████; I can just tell them I made a mistake. I was supposed to bill ██████ ██████." Fasano allegedly admitted she had never seen any of the clients. Fasano was just going to say it was a mistake and they were seen by ██████, not Telehealth.

Your affiant asked if Fasano had sent letters out to any of the Medicaid clients and Fasano allegedly said she was going to. Your affiant asked ██████ if she saw Fasano in August 2021, or August 2020. She was not sure. Your affiant. asked if it was the same year they were going to start the business and she said yes (August 2020).

██████ allegedly asked Fasano if she thought she was going to get away with this, and Fasano replied, "Let's get started."

██████ said she ended the relationship with Fasano at that point because she couldn't work with her. She said she was not friends with Fasano, it was a work relationship. Fasano allegedly admitted she had not seen any of the clients and she obtained the client list from ██████ ██████.

██████ said Fasano had no other employees and she wanted to get into pain management with the telehealth company. ██████ never gave Fasano permission to use her NPI/Provider number.

██████ said Fasano told her, "I might be in trouble."

If this was August 2020, it would be just after your affiant initially spoke to Fasano. [REDACTED] thought Fasano said something about "I told them I got just got mixed up between billing [REDACTED] and billing Telehealth."


[REDACTED] gave me her email address and said she would email me a statement. She also told me the address [REDACTED] was valid for her.

[REDACTED] explained that [REDACTED]. She described [REDACTED].

Fasano allegedly billed because she needed the operating cash for the business and had begun having promotional items made. She allegedly asked [REDACTED] to put a magnetic sign for the business on her car.

The affiant has read the above and foregoing application and affidavit, and the statements therein contained are true to the best of his/her knowledge, information and belief.

Based upon the above information, the affiant requests the court issue an arrest warrant for ***Renee Danielle Fasano***



Affiant (Matthew A. Adams)

SUBSCRIBED AND SWORN to before me this 22 day of SEPT.
20 22.



Notary Public

My Commission expires 9.12.2023

TAMMERA SAAVEDRA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20194035044
MY COMMISSION EXPIRES SEPTEMBER 12, 2023

Dated this ___ day of _____, _____.

By the Court:

Judge