

1 having first been duly sworn, testified as followed:

2 DIRECT EXAMINATION

3 BY MS. LEWIS:

4 Q. Ms. Mosher, state your name?

5 A. Tracy Mosher.

6 Q. And where are you employed?

7 A. For the Office of Inspector General.

8 Q. What are your current duties at the Office of
9 Inspector General?

10 A. I'm the team lead for the Office of Inspector
11 General 1-800 hot line.

12 Q. How long have you been a state employee?

13 A. Going on 25 years.

14 Q. And you're still a state employee. Were you
15 still a state employee in 2005?

16 A. Yes.

17 Q. And what were you job duties in 2005?

18 A. I was an investigator in the Medicaid Provider
19 Integrity Unit.

20 Q. Okay. During that time, did you become familiar
21 with a company called Anointed Medical Supply?

22 A. Yes.

23 Q. How did you become associated with that company?

24 A. We received a 1-800 hot line call regarding that
25 company.

1 MR. MARTIN: Objection. Hearsay.

2 THE COURT: Overruled.

3 MS. LEWIS: Thank you, Your Honor.

4 Q. (BY MS. LEWIS) What was the nature of the call?

5 MR. MARTIN: Same objection, Judge.

6 THE COURT: Sustained.

7 Q. (BY MS. LEWIS) After you received the call, did
8 you open an investigation?

9 A. Yes.

10 Q. Once you receive a call, how do you proceed in
11 investigating a complaint?

12 A. Just start the preliminary. My duty was to start
13 the preliminary investigation by determining if the
14 allegation of the provider was a Medicaid provider.

15 Q. And was the -- what was the name of the provider
16 again?

17 A. Anointed Medical Supply.

18 Q. Were they?

19 A. Yes, they were.

20 Q. What was your next step?

21 A. Just continue the research with a business
22 objects report to determine whether or not what the
23 complaint had stated was -- I verified what they had
24 stated.

25 Q. And did you complete the BOR?

1 A. Yes.

2 Q. And what did the BOR tell you?

3 A. It told me that the Complainant had stated that
4 they had --

5 Q. You cannot say what the Complainant said.

6 A. I'm sorry.

7 MR. MARTIN: Objection.

8 THE COURT: That objection is sustained.

9 MR. MARTIN: Thank you, Judge.

10 A. What I determined was that services had been
11 provided by Anointed Medical Supplies.

12 Q. (BY MS. LEWIS) Services were billed for or
13 provided?

14 A. Billed for.

15 Q. And can you tell the Court how much was provided,
16 the amount was billed?

17 A. I don't recall.

18 Q. Did you produce a report during your
19 investigation?

20 A. Yes.

21 Q. Did you bring it with you?

22 A. No.

23 Q. Do you need it to refresh your memory?

24 A. I don't have access to the report. It does not
25 tell me that information.

1 Q. After you -- do you recall whether the amount was
2 a large amount?

3 A. I don't recall.

4 Q. Okay. Do you recall completing a referral to the
5 Medicaid Fraud Unit?

6 A. Yes.

7 Q. Would that referral have the information about
8 how much was billed by Anointed?

9 A. Yes.

10 Q. Do you have that with you?

11 A. Yes.

12 Q. Will it refresh your memory?

13 A. Yes.

14 Q. You may refresh your memory.

15 A. Okay. The total, it's broken down by years.

16 Q. What was the total in 2005?

17 A. For 2005 for Suffix 1, it was \$154,235.46.

18 Q. And what's the total for Suffix 2 in 2005?

19 A. 426,412.57.

20 Q. And what's the total for Suffix 1 in '06?

21 A. Year to date, which my report was done on March
22 20th, 2006, it was \$200,046.03

23 Q. And the 2006 year to date for Suffix 2, how much
24 was billed by Anointed?

25 A. That also was on March 20th, 2006; and it was

1 \$514,228.62.

2 Q. What did you do with that information?

3 A. That information was added to a report validating
4 the Complainant.

5 Q. On the BOR, did it indicate which diagnosis codes
6 and which procedure codes were billed?

7 A. Yes.

8 Q. And what were they?

9 A. It showed that A435, which is incontinent
10 supplies, A4554, which is disposal under pads, and T4535,
11 disposal liners shield pads.

12 Q. After completing your initial investigation, what
13 did you do next?

14 A. I made a referral to the Attorney General's
15 Office.

16 Q. When did you do that?

17 A. That was in, I believe, it was April 15th, 2006.

18 Q. When you -- do you have -- can you tell us who
19 the owner of Anointed Medical Supply is?

20 A. Oh, yes. That was Demetria Boston.

21 Q. And when was she enrolled in Medicaid?

22 A. The enrollment date was August 7, 2003.

23 MS. LEWIS: Pass the witness, Your Honor.

24 CROSS-EXAMINATION

25 BY MR. MARTIN:

1 Q. Good afternoon, ma'am.

2 A. Hi.

3 Q. Just a couple of brief questions. As part of
4 your investigation, did you personally interview Marcus
5 Jefferson?

6 A. No.

7 Q. As part of your investigation in reviewing the
8 documents from the company, did you notice Mr. Jefferson's
9 name being on any of the documents?

10 A. I don't recall.

11 Q. Is it your normal practice as part of your
12 investigation to note who signs the document?

13 A. No.

14 Q. Yet you indicated that Demetria Boston was the
15 owner of the company?

16 A. Yes.

17 Q. It is normal for the owner of the company to sign
18 documents?

19 A. I'm not sure.

20 Q. So your position, as you sit here today, you
21 don't know about any involvement at all with
22 Mr. Washington and Anointed Medical Supply; is that
23 correct?

24 A. Correct.

25 MR. MARTIN: Pass.

1 THE COURT: Anything further?

2 MS. VOLLMAN: Nothing further, Judge.

3 THE COURT: May this witness be excused?

4 MS. VOLLMAN: Yes, please.

5 THE COURT: You may be excused. So I am
6 going to release you for the day. Please remember my
7 earlier instructions about not talking about the case, not
8 attempting to do any research on your own, either on the
9 internet or otherwise.

10 Please report tomorrow again at 10:00
11 promptly; and just so you know, this schedule is going to
12 be about the same everyday. We will start at 10:00
13 o'clock. We will stop at 5:00. We will provide you
14 lunch. We will take a morning and an afternoon break.
15 The only difference is Friday. I need to give you a
16 head's up about the difference in Friday, and hopefully
17 it's good news for you.

18 You-all have the day off, because we
19 have a scheduling conflict with one of the parties to the
20 case, and we cannot have trial on Friday. So I,
21 unfortunately, do not get the day off; but you-all do. So
22 I hope that we will start again tomorrow right around
23 10:00 clock. See you in the morning. Go with the
24 bailiff.

25 MR. MARTIN: You're going to have to do it