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8 ATTORNEYS FOR THE PEOPLE OF THE STATE OF CALIFORNIA

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ORIGINAL FILED  
Superior Court of California  
County of Los Angeles

AUG 30 2021

Sharrl R. Carter, Executive Officer/Clerk  
By: L. Barreras, Deputy

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
11 **COUNTY OF LOS ANGELES, GOVERNOR GEORGE DEUKMEJIAN COURTHOUSE**

12 **PEOPLE OF THE STATE OF**  
13 **CALIFORNIA,**

14  
15 **PLAINTIFF,**

16  
17 **vs.**

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20 **HOWARD WALLACE OLIVER (d/o/b**  
*02/07/1947),*

21  
22 **&**

23  
24 **JUANITA BALONDO ANTIPORDA**  
25 *(d/o/b 11/03/1962),*

26  
27 **DEFENDANTS.**  
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**Case No. NA106883**

AG Docket Nos. OR2017107385, OR2017107382

**SECOND AMENDED INFORMATION**

**Charges:**

Ct 1: Conspiracy to Cheat and Defraud, PC §182(a)(4) –  
*Oliver & Antiporda*  
Ct 2: Medi-Cal Fraud, WIC §14107(b)(4) –  
*Oliver & Antiporda*  
Ct 3: Grand Theft, PC §487(a) – *Oliver & Antiporda*  
Ct 4: False & Fraudulent Claims, PC §549 –  
*Oliver only*  
Ct 5: False & Fraudulent Claims, PC §549 –  
*Antiporda only*  
Ct 6: Insurance Fraud, PC §550(b)(3) –  
*Oliver & Antiporda*  
Cts 7 - 10: Tax Evasion- RT 19706 *Oliver only*

**Special Allegations:**

*Against both Oliver & Antiporda*

Loss Over \$65,000 - PC §12022.6(a)(1)  
Loss Over \$200,000 - PC §12022.6(a)(2)  
Loss Over \$1.3 million - PC §12022.6(a)(3)  
White Collar, Loss Over \$100,000 – PC §186.11(a)(3)  
White Collar, Loss Over \$500,000 – PC §186.11(a)(2)  
Probation Limitation – PC §1203.045  
Statute of Limitations, Late Discovery Exception -  
PC §§801.5 & 803(c)

1 The Attorney General of the State of California accuses the defendants, HOWARD  
2 WALLACE OLIVER and JUANITA BALONDO ANTIPORDA, of committing the following  
3 crimes in the County of Los Angeles and elsewhere within the State of California before the filing  
4 of this Second Amended Information:  
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6 **COUNT 1**

7 **Conspiracy to Cheat and Defraud, Penal Code §182 (a)(4)**

8 *Defendants Oliver and Antiporda*

9 Beginning at least as early as April 6, 2007, and continuing through at least July 7, 2014,  
10 defendants HOWARD WALLACE OLIVER and JUANITA BALONDO ANTIPORDA did  
11 willfully and unlawfully conspire with one another and with others known and unknown, to cheat  
12 and defraud the State of California and the County of Los Angeles of money by means which are  
13 criminal, and obtain money by false pretenses or by false promises with fraudulent intent not to  
14 perform those promises, in violation of Penal Code §182(a)(4), a felony.  
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16 **Object of the Conspiracy**

17 The object of the conspiracy was to operate a health care business and use it to fraudulently  
18 obtain money from the State of California by submitting claims for work that was not performed,  
19 services that were not medically justified, and services that were billed at more expensive levels  
20 than what the company was legally entitled to receive.  
21

22 **Means of the Conspiracy**

23 The defendants held positions of authority at West Coast Counseling Services, Inc. (West  
24 Coast). West Coast was certified by the State to treatment poor people who suffered from  
25 substance abuse disorders. West Coast's patients had Medi-Cal as their health insurance. West  
26 Coast was an approved Medi-Cal provider. As a condition to participate in the Medi-Cal program  
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1 and receive payment, West Coast agreed to provide only medically necessary services and agreed  
2 to abide by all the rules of the Medi-Cal program and the laws of the State.

3 Things were supposed to operate as follows: Medi-Cal patients would come to West  
4 Coast; West Coast's medical director, Doctor Howard Wallace OLIVER, would evaluate the  
5 patients to determine if they had a medical need for counseling services from West Coast; Dr.  
6 OLIVER also would make sure that the patients did not have any medical conditions that required  
7 a higher level of care than West Coast could provide; Counselors, under the supervision of West  
8 Coast's program director, Juanita ANTIPORDA, would provide therapy to the patients that  
9 OLIVER determined needed therapy for their recovery; after a period of time, OLIVER would  
10 reassess the patients and decide if they needed additional services from West Coast; West Coast  
11 would bill the Medi-Cal program for the counseling provided to these Medi-Cal patients; in turn,  
12 West Coast would then receive payment of Medi-Cal funds from either the State of California or  
13 the County of Los Angeles.

14 The reality was much different: ANTIPORDA bribed Medi-Cal patients with free bus  
15 passes and gift cards, and in exchange they would let her copy their Medi-Cal ID cards. These  
16 Medi-Cal beneficiaries were not in need of substance abuse counseling and did not bother to  
17 return to get counseling services. ANTIPORDA ordered the staff at West Coast to use the  
18 illegally obtained Medi-Cal patients' ID to manufacture fake patient in-take forms, patient charts,  
19 counseling notes, and phony patient sign-in sheets—all with the goal of making it look like the  
20 patients were there receiving counseling when they were not. OLIVER was told by staff that he  
21 was approving counseling services for fake patients -- so-called "ghost patients." Yet even after  
22 being told by counseling staff repeatedly, OLIVER continued to approve ghost patients for  
23 counseling, and approved continued services knowing that Medi-Cal would pay for these fake  
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1 services. As a result, West Coast received payment of more than \$3 million from July, 2009  
2 through September, 2013.

3 **Overt Acts in Support of the Conspiracy to Cheat and Defraud**

4 Overt Act 1 In or about April, 2007, OLIVER and co-conspirator Lou Cannon, as  
5 West Coast's Executive Director, agreed that OLIVER would serve as the medical director for  
6 West Coast.  
7

8 Overt Act 2 In or about June, 2007, OLIVER coached Cannon on how to apply to  
9 Medi-Cal and to the Department of Drug and Alcohol Programs for West Coast to get certified to  
10 participate in Medi-Cal.

11 Overt Act 3 In or after October, 2009, co-conspirators directed employee LeRoy L. to  
12 write fraudulent counseling notes.  
13

14 Overt Act 4 In or after February, 2010, OLIVER attended a West Coast staff meeting  
15 where staff told OLIVER and Cannon about fraud that was occurring, but which OLIVER and  
16 Cannon ignored.

17 Overt Act 5 In or after August, 2012, ANTIPORDA directed employee Willie D. to  
18 write fraudulent counseling notes.

19 Overt Act 6 In or after August, 2012, ANTIPORDA gave bus passes to Medi-Cal  
20 beneficiaries in exchange for their Medi-Cal identification cards and the beneficiaries left without  
21 getting any treatment at West Coast, and never came back.  
22

23 Overt Act 7 In or after October, 2012, ANTIPORDA and Cannon attended a West  
24 Coast staff meeting where staff told them about fraud that was occurring, but which both  
25 ANTIPORDA and Cannon ignored.

26 Overt Act 8 In or after December, 2012, ANTIPORDA directed employee Stanford J.  
27 to write fraudulent counseling notes.  
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1 cause the taking of more than \$950 from the California Medi-Cal program, in violation of the  
2 Penal Code §487(a), a felony.

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4 **COUNT 4**

5 **False & Fraudulent Claims—Penal Code §549**

6 *Defendant Oliver only*

7 Beginning at least as early as 2009 through at least July 24, 2013, defendant HOWARD  
8 WALLACE OLIVER, did unlawfully accept Medi-Cal recipients from West Coast Counseling  
9 Services, Inc., knowing that, or with reckless disregard for whether West Coast intended to  
10 commit insurance fraud, in violation of Penal Code §549, a felony.

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12 **COUNT 5**

13 **False & Fraudulent Claims—Penal Code §549**

14 *Defendant Antiporda only*

15 Beginning at least as early as March, 2012, through at least July 24, 2013, defendant  
16 JUANITA BALONDO ANTIPORDA, did unlawfully solicit and accept Medi-Cal recipients on  
17 behalf of West Coast Counseling Services, Inc. knowing that, or with reckless disregard for  
18 whether West Coast intended to commit insurance fraud, in violation of Penal Code §549, a  
19 felony.  
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21 **COUNT 6**

22 **Insurance Fraud—Penal Code §550(b)(3)**

23 *Defendants Oliver and Antiporda*

24 Beginning at least as early as 2009, defendant HOWARD WALLACE OLIVER, and at  
25 least as early as March, 2012, defendant JUANITA BALONDO ANTIPORDA, did knowingly  
26 and willfully, through their conduct, or by aiding and abetting West Coast Counseling Services,  
27 Inc., or acting in conspiracy with co-conspirators, through at July 24, 2013, conceal or knowingly  
28

1 fail to disclose an event affecting West Coast's entitlement to receive payment for counseling  
2 services from Medi-Cal, in violation of Penal Code §550(b)(3), a felony.

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4 **COUNT 7**

5 **Tax Evasion (Corporate 2012) -- Revenue & Taxation Code §19706**

6 *Defendant Oliver only*

7 On or about March 27, 2013, defendant HOWARD WALLACE OLIVER did willfully and  
8 unlawfully and with intent to evade an income tax, made, rendered, or verified a false or  
9 fraudulent 2012 Corporation Franchise or Income Tax Return for Central Desert Industrial  
10 Medical Group, Inc. or supplied false or fraudulent information to the Franchise Tax Board, in  
11 violation of Revenue and Taxation Code §19706, a felony.

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13 **COUNT 8**

14 **Tax Evasion (Corporate 2013) -- Revenue & Taxation Code §19706**

15 *Defendant Oliver only*

16 On or about February 12, 2014, defendant HOWARD WALLACE OLIVER did willfully  
17 and unlawfully and with intent to evade an income tax made, rendered, or verified false or  
18 fraudulent 2013 Corporation Franchise or Income Tax Return for Central Desert Industrial  
19 Medical Group, Inc. or supplied false or fraudulent information to the Franchise Tax Board, in  
20 violation of Revenue and Taxation Code §19706, a felony.

21  
22 **COUNT 9**

23 **Tax Evasion (Corporate 2014) -- Revenue & Taxation Code §19706**

24 *Defendant Oliver only*

25 On or about April 15, 2015, defendant HOWARD WALLACE OLIVER did willfully and  
26 unlawfully and with intent to evade an income tax, made, rendered, or verified a false or  
27 fraudulent 2014 Corporation Franchise or Income Tax Return for Central Desert Industrial  
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1 Medical Group, Inc. or supplied false or fraudulent information to the Franchise Tax Board, in  
2 violation of Revenue and Taxation Code §19706, a felony.

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4 **COUNT 10**

5 **Tax Evasion (Corporate 2015) -- Revenue & Taxation Code §19706**

6 *Defendant Oliver only*

7 On or about October 13, 2016, defendant HOWARD WALLACE OLIVER did willfully  
8 and unlawfully and with intent to evade an income tax, made, rendered, or verified a false or  
9 fraudulent 2015 Corporation Franchise or Income Tax Return for Central Desert Industrial  
10 Medical Group, Inc. or supplied false or fraudulent information to the Franchise Tax Board, in  
11 violation of Revenue and Taxation Code §19706, a felony.

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13 **SPECIAL ALLEGATIONS**

14 **Loss Over \$65,000 - Penal Code §12022.6(a)(1)**

15 *Defendants Oliver and Antiporda*

16 It is further alleged that in the commission of the felonies charged above in Counts 1, 2, 3,  
17 4, and 6 against defendant HOWARD WALLACE OLIVER, and in Counts 1, 2, 3, 5, and 6  
18 against defendant JUANITA BALONDO ANTIPORDA, with the intent to do so, did cause the  
19 loss of or did take property of a value in excess of \$65,000, within the meaning of Penal Code  
20 §12022.6(a)(1).

21 **Loss Over \$200,000 -- Penal Code §12022.6(a)(2)**

22 *Defendants Oliver and Antiporda*

23 It is further alleged that in the commission of the felonies charged above in Counts 1, 2, 3,  
24 4, and 6 against defendant HOWARD WALLACE OLIVER, and in Counts 1, 2, 3, 5, and 6  
25 against defendant JUANITA BALONDO ANTIPORDA, with the intent to do so, did cause the  
26 loss of or did take property of a value in excess of \$200,000, within the meaning of Penal Code  
27 §12022.6(a)(2).





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**Probation Limitation -- Penal Code §1203.045**

*Defendants Oliver and Antiporda*

It is further alleged that in the commission of the felonies charged in Counts 1, 2, 3, 4 and 6 committed by defendant HOWARD WALLACE OLIVER, and in Counts 1, 2, 3, 5, and 6 committed by defendant JUANITA BALONDO ANTIPORDA, with the intent to do so, took in excess of \$100,000, within the meaning of the Penal Code §1203.045.

**Statute of Limitations/ Late Discovery Exception (*People v. Zamora Allegation*)**

**Penal Code §§801.5 & 803(c)**


*Defendants Oliver and Antiporda*

It is further alleged, pursuant to Penal Code §§ 801.5 and 803(c), that the offenses charged in Counts 4, 5, and 6 are felonies, and no victims of the offenses and no law enforcement agencies responsible for the investigation and prosecution of the offenses had knowledge of the offenses prior at earliest the date of September 17, 2015, when Special Agent Crispin Beltran learned during a witness interview that West Coast's medical director, HOWARD WALLACE OLIVER, was aware of fraud occurring at West Coast, but that OLIVER continued to authorize services as medically necessary with knowledge that West Coast was committing insurance fraud against Medi-Cal or in reckless disregard for whether West Coast was committing insurance fraud against Medi-Cal. It was also during the September 17, 2015 interview that it first became known that OLIVER was concealing the fact that his authorization for substance disorder services was not based on a good faith review of evidence that would allow him to make an informed decision whether substance disorder services were medically justified for the patients at West Coast. As medical director, it was OLIVER's duty to make a good faith determination of medical necessity, otherwise West Coast would not be allowed to bill Medi-Cal. It was also during the September 17, 2015 interview that it was first discovered that by causing ghost patients to be

1 referred to OLIVER for medical approval, that ANTIPORDA was violating Penal Code §549,  
2 and aiding and abetting the violation of Penal Code §550(b)(3) by participating with OLIVER  
3 and others in the concealment of OLIVER's failure to make good faith determinations of whether  
4 West Coast's patients required the substance disorder services that were billed to Medi-Cal.  
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6 SUBSCRIBED TO AND SWORN, based on information and belief, on this 29th day of  
7 August, 2021, at San Diego, California.

8 For  
9 ROB BONTA, Attorney General

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11 \_\_\_\_\_  
12 HARDY GOLD,  
13 Supervising Deputy Attorney General  
14 Attorneys for the People of the State of California

15 **PURSUANT TO PENAL CODE §1054.5(b), THE PEOPLE HEREBY**  
16 **INFORMALLY REQUEST THAT DEFENDANTS' COUNSEL PROVIDE DISCOVERY**  
17 **TO THE PEOPLE AS REQUIRED BY PENAL CODE §1054.3.**  
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