

ELLEN F. ROSENBLUM
Attorney General



FREDERICK M. BOSS
Deputy Attorney General

DEPARTMENT OF JUSTICE OFFICE OF THE ATTORNEY GENERAL

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CONTACT: Kristina Edmunson, (503) 378-
6002

Kristina.Edmunson@doj.state.or.us

Oregon DOJ's Medicaid Fraud Unit Prosecutes Fiduciary who Targeted Veterans

SALEM— Attorney General Ellen Rosenblum today announced that Lisa Bayer Day, a Washington County resident and nationally certified professional fiduciary, was convicted of five counts of Criminal Mistreatment in the First Degree, four counts of Aggravated Theft in the First Degree, one count of Theft in the First Degree, one count of Money Laundering and one count of Personal Income Tax Evasion. Washington County Circuit Court Judge Charles Bailey sentenced Bayer Day to 48 months in prison and ordered her to pay more than \$117,000 in restitution to the victims. Between November 2009 and March 2015, 26 Oregonians—including many disabled veterans—fell victim to Bayer Day.

Professional fiduciaries are appointed to make legal and financial decisions for another person who is unable to make those decisions on their own. These professionals assume important duties and responsibilities required by the laws of the state, including where the individual lives, how his or her money is spent, etc. Often these individuals have become incapacitated through age or disability.

"We rely on professional fiduciaries to provide care for Oregon's most vulnerable citizens, and to be trustworthy, honest, and act in good faith. Oregon DOJ's Medicaid Fraud Unit and newly created Elder Abuse Unit will continue to aggressively prosecute fiduciaries who victimize vulnerable elder and disabled Oregonians," said Attorney General Rosenblum.

Here's how she victimized the 26 Oregonians before a watchful Adult Protective Service worker called the Oregon Attorney General's Medicaid Fraud Unit:

- Checks made out to Bayer Day's clients and third parties – like long-term care facilities and ambulance companies – were repeatedly intercepted by Bayer Day and deposited into her own personal bank account;
- Client funds were repeatedly used by Bayer Day to pay the bills of others;
- Bayer Day used \$30,000 of client funds to pay court-ordered restitution to the estates of two aging clients that Bayer Day defrauded in Grant County;

- When clients died, Bayer Day did not give the money to the next of kin as required by law, but instead diverted those funds to her own personal bank account;
- Bayer Day repeatedly paid her husband's company thousands of dollars to clean out the homes of clients who had moved to long-term care facilities, but no such service was ever provided;
- Despite accruing significant sums of money, Bayer Day failed to pay any of her Oregon taxes.

In addition to prison and restitution, Bayer Day was stripped of her guardianship certifications.

The case was prosecuted by Senior Assistant Attorney General for the Oregon Department of Justice, Elizabeth Ballard. The investigation was done in cooperation with Oregon State Police, Washington County Sheriff's Office, Beaverton Police Department, Veterans Administration, Social Security Administration/Office of Inspector General, Washington County District Attorney's Office and Grant County District Attorney's Office.

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