

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
CIVIL DIVISION**

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DISTRICT OF COLUMBIA,  
a municipal corporation,  
441 Fourth Street, N.W.  
Washington, D.C. 20001,

Plaintiff,

v.

JOCELYN JOHNSON  
90 Waverly Drive  
Apartment # U102  
Frederick, Maryland 21702,

Defendant.

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Civil Action No.: \_\_\_\_\_

**JURY TRIAL DEMANDED**

**UNJUST ENRICHMENT COMPLAINT AND JURY DEMAND**

The District of Columbia (“District”), by the Office of the Attorney General for the District of Columbia, brings this action against Defendant Jocelyn Johnson under common law, seeking damages and civil penalties. In support of its claims, the District states as follows:

**Jurisdiction**

1. This Court has subject matter jurisdiction over this case under D.C. Code § 11-921.
2. This Court has personal jurisdiction over the Defendant pursuant to D.C. Code § 13-423(a).

### Parties

3. Plaintiff, the District, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code § 1-301.81(a)(1).

4. Defendant Jocelyn Johnson is an individual currently residing at 90 Waverly Drive, Apartment # U102, Frederick, Maryland, 21702.

### Defendant Johnson's Children

5. Defendant Johnson is unmarried and has two children, C.C. and J.C.

6. At all times relevant to the acts described in this Complaint, Defendant and her children were residents of the State of Maryland.

### District's Medicaid Program

7. In 1965, Congress established Section XIX of the Social Security Act, 42 U.S.C. §§ 301 *et seq.*, creating a program commonly known as Medicaid. The Medicaid program is a joint federal-state program that provides medical benefits “on behalf of families with dependent children and of aged, blind, or disabled individuals, whose income and resources are sufficient to meet the costs of necessary medical services . . . .” 42 U.S.C. § 1396-1.

8. The District has enacted a Medicaid plan that provides Medicaid benefits to “eligible individuals who are residents of the [District].” District’s

Medicaid Plan § 2.3. Under this plan, the District makes payments for the covered medical expenses of enrollees. 42 U.S.C. § 1396b.

9. As a condition of Medicaid eligibility, “[a]n individual shall be a resident of the District.” 29 DCMR § 9502.1. To qualify as a District resident under the District’s Medicaid Program, an individual must be “currently living” in the District, and either (i) intend “to remain there permanently or for an indefinite period,” or (ii) have entered the District “with a job commitment or seeking employment.” 42 C.F.R. § 435.403(i)(1).

**Defendant Johnson’s Receipt of Medical Benefits from the District**

10. On November 13, 2009, Defendant Johnson first applied to receive medical benefits for herself and C.C. from the District of Columbia Department of Human Services (DCDHS) by completing and submitting a “Combined Application for D.C. Medical Assistance, Food Stamps, and Cash Assistance,” (the “Application”). The District provided Defendant Johnson and C.C. with medical assistance through a Medicaid program as a District resident.

11. Defendant Johnson re-certified her and C.C.’s eligibility to receive these medical benefits from the District annually on or about September 30, 2010 and September 29, 2011.

12. As of at least February 2012, Defendant Johnson and C.C. were not eligible to receive these medical benefits from the District, because they resided together in the State of Maryland, and not in the District.

13. On or about April 20, 2012, Defendant Johnson signed and submitted a “Food Stamps Change Report” to DCDHS to report the recent birth of her son J.C., who was now living with Defendant Johnson. Defendant did not report a change of address on this form. Defendant Johnson signed the form, certifying that, “I state, under penalty of perjury, that my answers are correct and complete to the best of my knowledge.”

14. On or about April 20, 2012, Defendant Johnson signed and submitted a “Child Support Information” form to DCDHS, wherein she listed her address as 1109 19th Street, N.E., Apartment #5, Washington, D.C. 20002.

15. Relying on the information provided by Defendant Johnson on the April 20, 2012 submissions of the “Food Stamps Change Report” and “Child Support Information” forms to DCDHS, District of Columbia Department of Health Care Finance (DHCF) began providing medical assistance through a Medicaid program for Defendant Johnson’s son J.C., in addition to the medical benefits that Defendant Johnson had already been receiving from the District for herself and her other child, C.C.

16. Defendant Johnson knew that the information she provided on the forms to DCDHS was false because when Defendant Johnson provided this information, on April 20, 2012, she knew that she and her children C.C. and J.C. were living in Maryland, and not in the District.

17. During the time-period from February 2012 through May 2014, Defendant and her children were not eligible to receive these medical benefits from

the District, because they resided together in the State of Maryland, and not in the District.

18. From February 2012 through May 2014, Defendant Johnson received medical assistance from the District in the amount of \$32,902.46.

19. To date, Defendant Johnson has not reimbursed the District for any of the medical benefits at issue that she accepted while she was a resident of Maryland, nor have any payments been made on her behalf.

**COUNT I**  
**Unjust Enrichment**

20. Paragraphs 1 through 19 are realleged as if fully set forth herein.

21. By accepting Medical benefits from DHCF for herself, C.C. and J.C., under the District's Medicaid program from February 1, 2012 to May 31, 2014, to which she was not entitled, as a Maryland resident, Defendant Johnson has been unjustly enriched to the detriment of the District in the amount of \$32,902.46.

22. To date, Defendant Johnson continues to owe the District for medical benefits that were provided to her and her children C.C. and J.C.

**Prayer for Relief**

**WHEREFORE**, the District of Columbia respectfully requests that this Court enter a judgment in its favor and against the Defendant as follows:

- (1) On Count I against Defendant, award the District actual damages in an amount to be determined at trial, but not less than \$32,902.46;
- (2) Award the District interest, costs, and other recoverable expenses permitted by law; and

(3) Award the District such further and additional relief as may be just and proper.

Dated: August 23, 2019

Respectfully submitted,

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