



**DEPARTMENT OF THE ATTORNEY GENERAL**

**DAVID Y. IGE**  
GOVERNOR

**DOUGLAS S. CHIN**  
ATTORNEY GENERAL

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**SUBSTITUTE CAREGIVER GUILTY IN NEGLECT CASE**

HONOLULU – Closing a chapter in a classic case of elderly neglect, Attorney General Doug Chin announced today that an Oahu jury found Francisco Polintan guilty of endangering the welfare of 88-year old Nona Mosman.

Ms. Mosman was a client in Jennifer Polintan’s (Polintan) “Devine” care home in Waipahu, which was licensed as a Community Care Foster Family Home (CCFFH) in Waipahu. Francisco Polintan is Polintan’s father. He served as a substitute caregiver during his daughter’s extended absences. Polintan worked full time and left Mrs. Mosman in the care of her father.

Ms. Mosman became non-ambulatory in late 2012 and eventually became bedbound in early 2013. Once bedbound, Ms. Mosman became susceptible to bed sores and needed to be repositioned every two hours throughout the day. Ms. Mosman was completely dependant on Polintan for her activities of daily living, including general hygiene, toileting, and basic self-maintenance. The care plan issued by Ms. Mosman’s doctor and the assigned case management agency defined the responsibilities for Polintan.

An investigation conducted by Special Agent Derrick Kiyotoki of the Department of the Attorney General Medicaid Fraud Control Unit revealed that Polintan worked full time at Schofield Barracks and was absent from the home for 10 hours a day, Monday through Friday. During her extended absences Polintan left Ms. Mosman in the care of her father. Adult Protective Services nurses and social workers, as well as Hospice nurses and social workers found Ms. Mosman soaked in urine filled diapers, soiled bedding, and generally poor condition during a handful of visits to the home in April and May of 2013 while Francisco Polintan was in charge of her care. Ms. Mosman passed away in May of 2013.

Francisco Polintan will be sentenced April 15<sup>th</sup> and faces up to a year in jail and a five-thousand dollar fine. Jennifer Polintan pled guilty to manslaughter last year and is currently serving a one year sentence after entering into a plea deal with the Attorney General’s office.

Deputy Attorney General Michael Parrish, who prosecuted both Polintans, had high praise for the jury in this case. “They did a fantastic job of taking the evidence that the State put before them, applying the law to that evidence, and holding the Defendant accountable for his conduct. Both Polintans were abject failures as caregivers. They were caregivers by name only”.

Chin says that “when people make a conscious decision to bring a dependent adult into their home under the guise of providing care, and are getting paid to provide that care, then it is inexcusable and can have tragic consequences when they fail to do so”. Chin also acknowledges that these cases are very difficult to investigate and prosecute, but “we will always put our best foot forward when public safety is at issue, especially when it comes to vulnerable members of our community who can’t look out for themselves”.

The Department of the Attorney General encourages community members who suspect that dependent adults are being abused or neglected contact the Adult Protective Services at 808-832-5115, or the Medicaid Fraud Control Unit at 808-586-1058.

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For more information, contact:

Michael Parrish  
Deputy Attorney General  
Criminal Justice Division  
Medicaid Fraud Control Unit  
(808) 586-1058

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For more information, contact:

Anne Lopez  
Special Assistant to the Attorney General  
(808) 586-1284  
Anne.E.Lopez@hawaii.gov  
<http://ag.hawaii.gov>