

State of New Jersey Department of Human Services Division of Medical Assistance and Health Services P.O. BOX 712 TRENTON NJ 08625-0712

PHILIP D. MURPHY Governor

> Sheila Y. Oliver Lt. Governor

Carole Johnson Commissioner

Meghan Davey Director

STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 14558-18

BRUNSWICK PHARMACY,

PETITIONER,

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MEDICAID FRAUD DIVISION,

RESPONDENTS.

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to render a Final Agency Decision is June 20, 2019 in accordance with an Order of Extension. The Initial Decision was received on March 21, 2019.

This matter concerns an investigation by the Office of the State Comptroller; Medicaid Fraud Division (MFD) of Petitioner's billing practices. Based on the investigation, DMAHS sought recovery of \$143,449.78 in overpayments. By way of settlement the parties agreed to resolve the matter as set forth in the agreement. The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with <u>N.J.A.C.</u> 1:1-19.1.

Based upon my review of the record, I agree with the ALJ's conclusions and ADOPT the Settlement Agreement as based upon substantial credible evidence and consistent with applicable law.

THEREFORE, it is on this 13 day of MAY 2019,

ORDERED:

That the Initial Decision approving the Settlement Agreement is hereby ADOPTED.

Meghan Davey, Director Division of Medical Assistance and Health Services