



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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TRENTON, NJ 08625-0712

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CAROLE JOHNSON
Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

HOBOKEN DRUGS D/B/A HOBOKEN :

FAMILY PHARMACY et.al. :

PETITIONER, :

v. :

DIVISION OF MEDICAL ASSISTANCE :

AND HEALTH SERVICES AND :

MEDICAID FRAUD DIVISION :

RESPONDENTS. :

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 14172-2018

As Assistant Commissioner of the Division of Medical Assistance and Health Services (DMAHS), I have reviewed the record in this case, including the OAL case file, the Settlement Agreement and the Initial Decision in this matter. No exceptions were filed. Procedurally, the time period for the Agency Head to file a Final Decision is September 12, 2019 in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of receipt. The Initial Decision was received on July 29, 2019.

This matter concerns an inventory analysis conducted by the Office of the State Comptroller; Medicaid Fraud Division (MFD) of Petitioner's billing practices. As a result of

the investigation, MFD issued a Notice of Claim, Notice of Withhold and a Certificate of Debt.. Additionally, money has been withheld pursuant to the Notice of Withhold. By way of settlement the parties agreed to resolve the matter as set forth in the agreement.

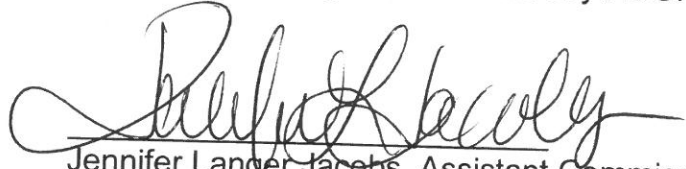
The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

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 11th day of SEPTEMBER 2019,

ORDERED:

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


Jennifer Langer Jacobs, Assistant Commissioner
Division of Medical Assistance
and Health Services