



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

CAROL GRANT
Acting Director

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

PROFESSIONAL PHARMACISTS,
:
:
GOP DATWANI, AMIT DATWANI,
:
:
DEEPAK MURJANI and SHALIN PATEL,:

PETITIONERS,

v.

DIVISION OF MEDICAL ASSISTANCE :
:
AND HEALTH SERVICES AND :
:
MEDICAID FRAUD DIVISION :
:
RESPONDENTS. :

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 03691-2019

As Director 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 June 14, 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 May 3, 2018.

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 JUNE 2019,

ORDERED:

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



Carol Grant, Acting Director
Division of Medical Assistance
and Health Services