

## State of New Jersey Department of Human Services Division of Medical Assistance and Health Services

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PHILIP D. MURPHY
Governor

RENTON NJ 08625-0712

Carole Johnson Commissioner

Sheila Y. Oliver Lt. Governor

Meghan Davey Director

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

VALUE PLUS PHARMACY,

PETITIONER.

**ADMINISTRATIVE ACTION** 

FINAL AGENCY DECISION

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OAL DKT. NO. HMA 04173-20

MEDICAID FRAUD DIVISION,

RESPONDENTS.

As Assistant Commissioner for 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 May 7, 2021 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 the agency's receipt. The Initial Decision was received on March 23, 2021.

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 \$843,000 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 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 3rd day of MAY 2021,

ORDERED:

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

Jennifer Langer Jacobs, Assistant Commissioner Division of Medical Assistance

and Health Services