

**STATE OF NEW JERSEY**  
**DEPARTMENT OF BANKING AND INSURANCE**  
**BUREAU OF FRAUD DETERRENCE**



**CONSENT ORDER NO. 14-52545-24**

In the Matter of	)	<b>CONSENT ORDER</b>
Gurbachan Varma	)	
3 Cottonwood Lane E.	)	
Holmdel, NJ 07733	)	
Respondent.	)	

This matter having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance of the State of New Jersey, upon information indicating that Respondent, Gurbachan Varma, currently residing at 3 Cottonwood Lane E., Holmdel, NJ 07733, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Gurbachan Varma, engaged in the practice of upcoding office visits when she billed for high level office visits under CPT 99214 on multiple occasions when the patient records failed to document the necessary components required, which enabled her to receive a benefit to which she was not entitled; and

WHEREAS, the above conduct constitutes a violation of N.J.S.A. 17:33A-1, et seq., and any future violation of N.J.S.A. 17:33A-1, et seq. shall be considered to be a second offense; and

WHEREAS, Respondent has been informed that she has a right to notice and to request a hearing in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.) on the violation alleged herein before a civil administrative penalty is imposed; and

WHEREAS, Respondent understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondent consents to pay a civil administrative penalty in the amount of \$5,000.00, and surcharge in the amount of \$250.00, the total amount of \$5,250.00 being due immediately by certified check, bank check or money order made payable to the "Commissioner, Department of Banking and Insurance" and acknowledges restitution in the amount of \$2,872.70 payable to Horizon Blue Cross/Blue Shield of New Jersey, P.O. Box 200145, Newark, NJ 07102, Attn: Megan McCarthy This signed order and the payment of the civil administrative penalty shall be returned to Managing Investigator, Michele M. Margiotta, Bureau of Fraud Deterrence, Department of Banking and Insurance, Five Executive Cmps, Ste 205 Cherry Hill, NJ 08002; and

WHEREAS, the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the protection of the public health, safety and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding; and

IT FURTHER APPEARING that the matter is suitable for resolution upon the consent of the parties and that Respondent and the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing;

NOW, THEREFORE, IT IS ON THIS 9<sup>th</sup> day of July, 2016,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$5,000.00 is imposed on Respondent, Gurbachan Varma.
2. Respondent is bound to pay restitution in the amount of \$2,872.70 to Horizon Blue Cross/Blue Shield of New Jersey.
3. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$250.00, such amount to be in addition to the civil administrative penalty.
4. Respondent consents to the entry of this final administrative order.

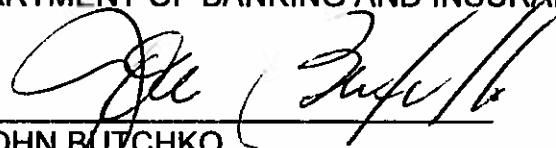
Respondent understands that this final administrative order may be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et seq.).

5. This Consent Order shall not be binding until it is signed by the Chief of Investigations, Bureau of Fraud Deterrence.

6. This Consent Order may be used against Respondent in any civil or administrative proceeding related to a violation of N.J.S.A. 17:33A-1 et seq., including a license suspension or revocation proceeding.

7. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Consent Order shall be provided to the appropriate licensing authority.

RICHARD J. BADOLATO  
ACTING COMMISSIONER  
DEPARTMENT OF BANKING AND INSURANCE

By:   
JOHN BUTCHKO  
CHIEF OF INVESTIGATIONS  
BUREAU OF FRAUD DETERRENCE

CONSENTED TO AS TO FORM, CONTENT  
AND ENTRY OF ORDER:

  
Gurbachan Varma, Respondent

Dated: 6/24/16