



**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

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**

MIT KISHAN, LLC D/B/A SHAYONA	:	
	:	
PHARMACY & RITA PATEL,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
MEDICAID FRAUD DIVISION,	:	OAL DKT. NO. HMA 15124-16
	:	
RESPONDENTS.	:	

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 Agency Decision is April 16, 2018 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 2, 2018.

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 \$47,657.20 in overpayments. By way of settlement the parties agreed to resolve the matter as set forth in the agreement.

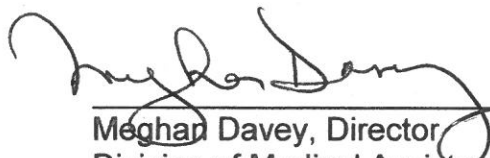
The ALJ approved the Settlement Agreement because it was consistent with the law, fully disposed of all issues in controversy and was voluntarily entered into by both parties, in accordance with N.J.A.C. 1:1-19.1.

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 *19th* day of APRIL 2018,

ORDERED:

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



Meghan Davey, Director
Division of Medical Assistance
and Health Services