

State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
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Trenton, NJ 08625-0712

CAROLE JOHNSON

Commissioner

JENNIFER LANGER JACOBS
Assistant Commissioner

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

BROADWAY DISCOUNT, PHARMACY.

PETITIONER.

**ADMINISTRATIVE ACTION** 

**FINAL AGENCY DECISION** 

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OAL DKT. NO. HMA 05850-20

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 November 23, 2020 in accordance with. The Initial Decision was received on 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 October 9, 2020.

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 \$56,210 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 10th day of NOVEMBER 2020,

ORDERED:

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

Jennifer Langer Jacobs, Assistant Commissioner

Division of Medical Assistance

and Health Services