

State of New Jerney

PHILIP D. MURPHY Governor

SHEILA Y. OLIVER Lt. Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES
PO Box 712
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

DARREN JAMES, DPM,

PETITIONER,

٧.

MEDICAID FRAUD DIVISION

RESPONDENT.

ADMINISTRATIVE ACTION

FINAL AGENCY DECISION

OAL DKT. NO. HMA 01565-20

As Assistant Commissioner of 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. Both Parties filed exceptions to the Initial Decision. Procedurally, the time period for the Agency Head to render a Final Agency Decision is September 10, 2020 in accordance with an Order of Extension.

This matter arises from the Office of the State Comptroller, Medicaid Fraud Division's December 9, 2019 Notice of Disqualification issued to Petitioner. The notice listed the bases for Petitioner's disqualification as a Medicaid provider as: (1) The suspension of Petitioner's license to practice podiatry; (2) Petitioner's failure to make the agreed upon arrangements with any assessment entity, stymieing the State Board of Medical Examiner's (BME) efforts

to evaluate Petitioner's skills and knowledge; and (3) Petitioner's failure to submit to an evaluation which constitutes a violation of a duty to cooperate with the BME's investigation and a Board Order. The BME's November 22, 2019 Order of Suspension supports these findings, and Petitioner does not dispute that he has been suspended from the practice of medicine. The appropriateness of the BME's suspension is not before the OAL. Furthermore, despite his assertions that the BME incorrectly suspended his license, there is no evidence the record that Petitioner exhausted his appeal options or took any other legal action to dispute the suspension.

THEREFORE, it is on this /

day of AUGUST 2020,

ORDERED:

That the Initial Decision is hereby ADOPTED.

Jennifer Langer Jacobs

Division of Medical Assistance and Health Services