



State of New Jersey

DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

P.O. Box 712
Trenton, NJ 08625-0712

CHRIS CHRISTIE
Governor

ELIZABETH CONNOLLY
Acting Commissioner

KIM GUADAGNO
Lt. Governor

MEGHAN DAVEY
Director

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

TZIPORA OZERY,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
DMAHS,	:	OAL DKT. NO. HMA 08462-16
	:	
RESPONDENTS.	:	
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CHILDREN'S DENTAL CARE AND KEVIN WARD, D.D.S.,	:	OAL DKT. NO. HMA 17763-16
	:	
PETITIONER,	:	
	:	
v.	:	
	:	
MEDICAID FRAUD DIVISION,	:	
	:	
RESPONDENT.	:	

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 November 16, 2017 in accordance with an Order of Extension. The Initial Decision was received on August 17, 2017.

This matter concerns an investigation by the Office of the State Comptroller; Medicaid Fraud Division (MFD) of Petitioner's billing practices as well as the Petitioner's unlicensed and unsupervised practice of radiologic technology without a valid license. Based on the investigation, DMAHS sought recovery of \$102,434.95 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 *4th* day of OCTOBER 2017,

ORDERED:

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


Meghan Davey, Director
Division of Medical Assistance
and Health Services