

**STATE OF NEW YORK
DEPARTMENT OF HEALTH**

In the Matter of the Request of

ANDREW L. SATRAN, M.D., Provider ID # 02337924,
Appellant,

For a Hearing, pursuant to Part 519 of Title 18 of the
Official Compilation of Codes, Rules and Regulations
of the State of New York, to review the determination
to recover Medicaid overpayments.

Audit
#13-5556

Before: Denise Lepicier
Administrative Law Judge

Held at: New York State Department of Health
90 Church Street
New York, New York 10007
February 10, 2015

Parties: New York State Office of the Medicaid Inspector General
New York State Department of Health
217 Broadway, 8th floor
New York, N.Y. 10007
By: Tina Dolman, Esq.

Andrew L. Satran, M.D.
Advanced Pediatrics
358 Route 202, Suite 2
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The Department of Health (Department) acts as the single state agency to supervise the administration of the Medicaid program (Medicaid) in New York State. Public Health Law (PHL) § 201(1)(v), Social Services Law (SSL) § 363-a. Pursuant to PHL §§ 30, 31 and 32, the Office of the Medicaid Inspector General (OMIG), an independent office within the Department, has the authority to pursue administrative enforcement actions against any individual or entity that engages in fraud, abuse, or unacceptable practices in the Medicaid program, and to recover improperly expended Medicaid funds.

The Department determined to seek restitution of payments made by Medicaid to Dr. Andrew L. Satran (Appellant). The Department's determination was communicated to the Appellant by a final audit report dated April 8, 2014. (Ex. 10)¹ The Appellant requested a hearing pursuant to SSL § 22 and the former Department of Social Services (DSS) regulations at 18 NYCRR § 519.4 to review the determination. (Ex. 12) Written notice of hearing in conformity with the requirements of 18 NYCRR 519.10 was sent to the Appellant, scheduling the hearing to commence on August 6, 2014. (Ex. 14) The hearing notice informed the Appellant of the date, time and place of the hearing, of the right to request an adjournment, and of the manner and means by which adjournments could be requested and granted.

The hearing was adjourned a number times and was set for hearing on February 10, 2015.

The Department appeared on February 10, 2015, ready to proceed. (T. 3-36) The Appellant failed to appear at the hearing. The Appellant did not request that the hearing be

¹ Numbers in parentheses refer to transcript page numbers or exhibits. Transcript references will be cited as a "T." followed by the appropriate page number(s); exhibits will be cited by an "Ex." followed by the appropriate exhibit number(s) or letter(s).

rescheduled, and the hearing was not rescheduled. As of the date of this decision there has been no communication concerning this hearing from the Appellant.

Pursuant to 18 NYCRR 519.12(a), a request for a hearing is abandoned if the hearing has not been rescheduled and the Appellant does not appear at the hearing on the scheduled date. As the hearing was not rescheduled and the Appellant did not appear at the hearing on the scheduled date, this administrative proceeding is deemed abandoned.

Dated: March 12, 2015
New York, New York

Denise Lepicier
Administrative Law Judge