

The New York State Office of the Medicaid Inspector General (OMIG) determined to recover Medicaid Program overpayments from NRI Group, LLC (the Appellant). The Appellant requested a hearing pursuant to SSL 22 and former Department of Social Services (DSS) regulations at 18 NYCRR 519.4 to review the overpayment determination. (Exhibit 2.)

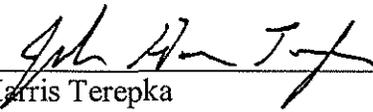
The OMIG's determination was communicated to the Appellant by a final audit report (audit #08-2836) dated May 19, 2016. (Exhibit 1.) Written notice of hearing in conformity with the requirements of 18 NYCRR 519.10 was issued on August 23, 2016, scheduling the hearing to commence on November 16, 2016. (Exhibit 3.) The hearing was rescheduled upon the request of the Appellant and with the consent of the OMIG to January 10, February 7, and April 4, 2017. (Exhibit 4.)

By notice dated March 13, 2017, the OMIG scheduled a prehearing conference pursuant to 18 NYCRR 519.14 for March 21, 2017. (Exhibit 5.) The Appellant did not appear for or request a rescheduling of the prehearing conference. By letter dated March 20, 2017, copied to the Appellant, Appellant's counsel advised the ALJ and the OMIG of its determination to withdraw as counsel for the Appellant and its reasons for doing so. (Exhibit 6.) The Appellant did not respond to counsel's letter.

The OMIG appeared on April 4 ready to proceed with the hearing. The Appellant failed to appear. The Appellant did not contact the OMIG or the Bureau of Adjudication or request that the hearing be rescheduled, and the hearing was not rescheduled. A transcript of the proceedings was made (Transcript, pages 1-10), and Department Exhibits (1-6) were received.

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. This administrative proceeding is deemed abandoned.

DATED: Rochester, New York
May 4, 2017



John Harris Terepka
Bureau of Adjudication