

STATE OF NORTH CAROLINA
COUNTY OF WAKE

IN THE OFFICE OF
ADMINISTRATIVE HEARINGS
14 DHR 02198

GENESIS PROJECT 1, INC.,

Petitioner,

v.

NC DEPARTMENT OF HEALTH AND
HUMAN SERVICES, DIVISION OF
MEDICAL ASSISTANCE, and MECKLINK
BEHAVIORAL HEALTHCARE,

Respondents.

**FINAL DECISION REGARDING
AMOUNT OF PAYBACK OWED BY
PETITIONER FOR NONCOMPLIANT
COMMUNITY SUPPORT TEAM
SERVICES**

This matter came on for hearing before Administrative Law Judge Donald W. Overby on January 29 and 30, 2015 in Raleigh, North Carolina, and the Court issued a Final Decision in this case on June 18, 2015 (the "Final Decision"). The Final Decision requested that Respondent MeckLINK Behavioral Healthcare ("MeckLINK") and Petitioner Genesis Project 1, Inc. ("Genesis") (collectively, the "Parties") take the following action regarding the amount of the payment due for noncompliant Community Support Team ("CST") services from the audit period at issue (March 1, 2013 to July 17, 2013) to MeckLINK by Genesis:

- 1) "Genesis shall have 30 days from the date of this ORDER to submit to MeckLINK documentation to show properly constituted CST teams during the audit period that do not include Shamira Moore as having been a team member. Genesis is to submit the amount it was reimbursed in Medicaid funds for the services of those identified CST teams. MeckLINK shall have 15 days to verify those teams through the records produced by Genesis."
- 2) "The parties shall have an additional 15 days to work through any discrepancies in determining a final amount of payback."
- 3) "Within 60 days of receipt of the final amount due, Petitioner shall remit to MeckLINK payment in full the amount determined to be owed for CST services that were inappropriately billed during the audit period."

On July 17, 2015, counsel for Genesis communicated to counsel for MeckLINK that "Genesis Project 1 has determined that Shamira Moore was on the Genesis Project 1 CST team for the entire audit period." Also on July 17, 2015, MeckLINK submitted an Affidavit of Dana

Frakes stating that Genesis owed MeckLINK \$28,420.50 for all noncompliant CST services provided during the audit period.

DECISION AND ORDER

It is hereby ORDERED that Genesis shall remit to MeckLINK \$28,420.50 for CST services that were inappropriately billed during the audit period on or before September 15, 2015 (60 days from Genesis' receipt of the final amount due for these services).

NOTICE

This is a Final Decision issued under the authority of N.C. Gen. Stat. § 150B-34. Under the provisions of North Carolina General Statute § 150B-45, any party wishing to appeal the final decision of the Administrative Law Judge must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. **The appealing party must file the petition within 30 days after being served with a written copy of the Administrative Law Judge's Final Decision.** In conformity with the Office of Administrative Hearings' rule, 26 N.C. Admin. Code 03.0102, and the Rules of Civil Procedure, N.C. General Statute 1A-1, Article 2, **this Final Decision was served on the parties the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Final Decision.** N.C. Gen. Stat. § 150B-46 describes the contents of the Petition and requires service of the Petition on all parties. Under N.C. Gen. Stat. § 150B-47, the Office of Administrative Hearings is required to file the official record in the contested case with the Clerk of Superior Court within 30 days of receipt of the Petition for Judicial Review. Consequently, a copy of the Petition for Judicial Review must be sent to the Office of Administrative Hearings at the time the appeal is initiated in order to ensure the timely filing of the record.

This the 14th day of August, 2015

Donald W. Overby
Administrative Law Judge