



September 29, 2011

Michael Ervin Metzger, M.D.
935 Bluegrass Drive East
Billings, MT 59106-4501

Dear Dr. Metzger:

Re: OI File Number 7-10-40466-9

As described in the Office of Inspector General's (OIG) notice of exclusion to you dated August 31, 2011, your exclusion under section 1128(a)(4) of the Social Security Act (Act) became effective 20 days from the date of that letter, i.e., on September 20, 2011, for the minimum statutory period of five years; that exclusion remains in effect.

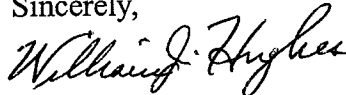
By letters dated September 12 and September 29, 2011, Anna Whiting Sorrell, Director, Montana Department of Public Health and Human Services, requested a waiver of your exclusion. Since this request meets the criteria set forth in 42 CFR 1001.1801(b) and section 1128(c)(3)(B) of the Act, we are granting Ms. Sorrell's request for a waiver of your exclusion for internal medicine items and services you furnish, order or prescribe under the Medicare, Medicaid and all Federal health care programs as defined in section 1128(h) of the Act at the Rimrock Foundation, Billings, Montana.

Approval of the waiver request means that, **effective with the date of this notice**, you may submit claims for payment of covered internal medicine items and services you furnish, order or prescribe under the Medicare, Medicaid and all Federal health care programs as defined in section 1128(h) of the Act at the Rimrock Foundation, Billings, Montana. **This waiver is not retroactive** and does not authorize you to claim program payment for services that you have already rendered to program beneficiaries.

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This waiver affects internal medicine items and services you furnish, order or prescribe at the Rimrock Foundation, Billings, Montana for as long as the Montana Department of Public Health and Human Services determines that such need exists. Your exclusion remains in effect for all items and services you furnish, order or prescribe elsewhere in Montana and in all other States. This waiver does not otherwise change your exclusion; it remains in effect and, as explained in your exclusion notice, you will have to apply for reinstatement at the end of the exclusion period.

Sincerely,



William J. Hughes
Reviewing Official
Health Care Program Exclusions
Office of Counsel to the Inspector General

cc: Office of Investigations
Anna Whiting Sorrell, Director