



DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF INSPECTOR GENERAL

Washington, D.C. 20201

November 15, 2011

Cory Lee Pickens, M.D.
235 S. 41st Street W.
Billings, MT 59106-2416

Dear Dr. Pickens:


Re: OI File Number H-11-40487-9

As described in the Office of Inspector General's notice of exclusion to you dated August 31, 2011, your exclusion under section 1128(a)(4) of the Social Security Act (Act) from participation in the Medicare, Medicaid, and all Federal health care programs 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 letter dated November 14, 2011, Mary E. Dalton, State Medicaid 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. Dalton's request.

Approval of this request means that, effective with the date of this notice, claims may be submitted for payment of covered neuroanesthesiology items and services you furnish, order, or prescribe under the Medicare, Medicaid, and all Federal health care programs at Benefis Hospital, Great Falls, Montana. This waiver is not retroactive and does not authorize payment for services that you have already rendered to program beneficiaries.

This waiver affects neuroanesthesiology items and services you furnish, order, or prescribe at Benefis Hospital, Great Falls, 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/
William J. Hughes
Reviewing Official
Health Care Program Exclusions
Office of Counsel to the Inspector General

cc: Office of Investigations
Mary E. Dalton, State Medicaid Director



November 15, 2011

Mary E. Dalton, State Medicaid Director
Montana Department of Public Health and Human Services
P.O. Box 4210
Helena, MT 59604

Dear Ms. Dalton:

Re: Cory Lee Pickens, M.D., OI File Number H-11-40487-9

By letter dated November 14, 2011, you requested a waiver of Dr. Pickens' exclusion. As described in the Office of Inspector General's (OIG) notice of exclusion to Dr. Pickens dated August 31, 2011, his exclusion under section 1128(a)(4) of the Social Security Act from participation in the Medicare, Medicaid, and all Federal health care programs 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.

Your request is hereby approved. Approval of this request means that, effective with the date of this notice, the Medicare, Medicaid, and all Federal health care programs may pay for neuroanesthesiology items and services furnished, ordered, or prescribed by Dr. Pickens at Benefis Hospital, Great Falls, Montana. Dr. Pickens remains excluded from participation in the Medicare, Medicaid, and all Federal health care programs in the rest of Montana and in all other States. This waiver is not retroactive.

Please notify the OIG if the basis for the waiver ceases to exist. Enclosed is a copy of our waiver letter to Dr. Pickens. If you have any questions, please call me at (410) 281-3062.

Sincerely,
/William J. Hughes/

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

Enclosure

cc: Office of Investigations