



to SW
DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of Inspector General

Washington, D.C. 20201

OCT 25 1994



Gary L. Trauger, D.C.
105 2nd Street, N.E.
Watford City, North Dakota 58854

Dear Dr. Trauger:

Re: H-94-40317-4

This is in response to your recent correspondence concerning a waiver request.

By letter dated September 8, 1994, David J. Zenter, Director, Medical Services for the North Dakota Department of Human Services, requested a waiver of your indefinite exclusion from the title XIX (Medicaid) program in the State of North Dakota pursuant to section 1128(c)(3)(B) of the Social Security Act. The basis for this request is that you are the only Medicaid provider who has been approved to provide chiropractic services to Medicaid patients in McKenzie County. We have approved the State's waiver request effective with the date of this letter.

Approval of this waiver request means that you may submit claims for covered items and services that you furnish in the State of North Dakota to the Medicare and Medicaid programs. This action does not change your indefinite exclusion from participation in the Maternal and Child Health, and Block Grants to State programs in the State of North Dakota or the Medicare, Medicaid, Maternal and Child Health, and Block Grants to State programs in any other State.

Based on the agreement between the State of North Dakota and yourself, at the end of the 24-month period of time, you are requested to contact either the U.S. Attorney's office in North Dakota or the Public Health Service in Rockville, Maryland to begin the negotiation process for repaying your outstanding Health Education Assistance Loan.

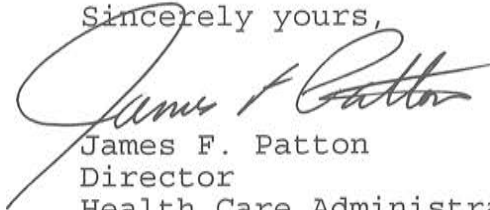
You were advised in the exclusion notice you received dated July 21, 1994 as to how to request a hearing before an administrative law judge.

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With respect to your question about the denial of payments, an excluded provider may not submit claims or cause claims to be submitted during the exclusion period. Therefore, you were not entitled to any of the money during the period you were excluded.

Sincerely yours,



James F. Patton
Director
Health Care Administrative Sanctions
Office of Inspector General

cc:

✓ United States Attorney
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655 First Avenue, North
Fargo, North Dakota 58108-2505

David J. Zenter
Director, Medical Services
North Dakota Department of Human Services
State Capitol - Judicial Wing
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