



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

November 6, 2015

Mr. Brian Mason
Assistant Comptroller
New York State Office of the State Comptroller
110 State Street, 10th Floor
Albany, New York 12236

Dear Mr. Mason:

Pursuant to the provisions of Section 170 of New York State Executive Law, I hereby transmit to you a copy of the New York State Department of Health's comments related to the Office of the State Comptroller's final audit report 2012-S-35 entitled, "Questionable Payments for Practitioner Services and Pharmacy Claims Pertaining to a Selected Physician."

Please feel free to contact Amy Nickson, Assistant Commissioner, Office of Governmental and External Affairs at (518) 473-1124 with any questions.

Sincerely,

Howard A. Zucker, M.D., J.D.
Commissioner of Health

Enclosure

cc: Ms. Nickson

**Department of Health
Comments on the
Office of the State Comptroller's
Final Audit Report 2012-S-35 entitled,
Questionable Payments for Practitioner Services and
Pharmacy Claims Pertaining to a Selected Physician**

The following are the Department of Health's (Department) comments in response to the Office of the State Comptroller's (OSC) Final Audit Report 2012-S-35 entitled, "Questionable Payments for Practitioner Services and Pharmacy Claims Pertaining to a Selected Physician."

Background

New York State is a national leader in its oversight of the Medicaid Program. Through the efforts of the Department and the Office of the Medicaid Inspector General (OMIG), for 2009 through 2013, New York State alone accounted for 54.9 percent of the national total of fraud, waste, and abuse recoveries. These results reflect a trend of increased productivity and enforcement. For 2011 through 2013, the administration's Medicaid enforcement efforts recovered over \$1.73 billion, a 34 percent increase over the prior three-year period.

Under Governor Cuomo's leadership, the Medicaid Redesign Team (MRT) was created in 2011 to lower health care costs and improve quality of care for its Medicaid members. Since 2011, Medicaid spending has remained under the Global Spending Cap, while at the same time providing health care coverage to an additional 1,330,000 fragile and low income New Yorkers. Additionally, Medicaid spending per recipient has decreased to \$7,929 in 2013, consistent with levels from a decade ago.

Recommendation #1

Review the 19,031 Medicaid claims totaling \$712,250 and recover overpayments as appropriate.

Recommendation #2

Review the 5,664 MCO encounter claims totaling \$327,154 and take appropriate corrective action.

Recommendation #3

Determine whether Dr. Ahmad's medical records support the prescriptions Dr. Ahmad wrote and take appropriate corrective action.

Recommendation #4

Determine whether medical sanctions against Dr. Ahmad are warranted.

Response #1 through 4

OMIG's investigation of this provider is on-going. If OMIG determines Medicaid made inappropriate payments to the provider, actions will be taken to recover those payments. Furthermore, if the investigation reveals that the provider's actions warrant sanctions, OMIG will take appropriate action against the provider.