

Paul R. LePage, Governor

Mary C. Mayhew, Commissioner

Department of Health and Human Services
Financial Services - Audit
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Final Informal Review Decision

October 27, 2014

Kevin Ware
BerryDunn
36 Pleasant Street
Bangor, ME 04401-6494

Re: **Odd Fellows' and Rebekahs' Home of Maine**

Dear Mr. Ware:

You requested an informal review of an audit report for **Odd Fellows' and Rebekahs' Home of Maine** dated May 28, 2014 for the fiscal period from July 1, 2010 through June 30, 2011, which resulted in an overpayment of \$38,459.88 for nursing care and an underpayment of \$3,785.12 for residential care. Your appeal request is based upon your letter dated July 25, 2014.

As a result of this request, we have prepared an informal review. Our **Final Informal Review Decision** is as follows:

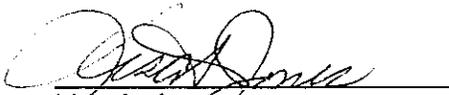
You stated that the depreciation and insurance costs for the Honda Odyssey should have been allowed, as it was a *replacement* for the Pontiac Montana. You further stated that the Montana was inadvertently left on the depreciation schedule and should have been removed. You are requesting that the audit for Odd Fellows' and Rebekahs' Home of Maine be revised to include the amount of depreciation and insurance costs for the replacement vehicle.

We agree with your request, and a revision of the audit will be made under separate cover.

This final informal review decision was based upon a consultation with the auditor of record, a review of her audit report and the related work papers, and your subsequent communications to us.

Please refer to the attached Notice of Appeal Rights of MaineCare Providers for an explanation of your facility's further appeal options.

Sincerely,



Lisa A. Jones
Auditor of Record



Herbert F. Downs, Director
Division of Audit

Enclosures:
Notice of Appeal Rights of MaineCare Providers

**DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF AUDIT – MAINECARE AND SOCIAL SERVICES**

NOTICE OF APPEAL RIGHTS OF MAINECARE PROVIDERS

1. Informal Review:

If you disagree with any portion of the audit report, you must request an informal review by the Director of the Division of Audit, or his designee, by notifying the Division of Audit, 11 State House Station, Augusta, Maine 04333-0011, in writing **within 60 days of receipt of the audit report** of the issues that are in dispute. You must also provide any and all information that you intend to rely upon in disputing each issue. Failure to give timely notice or to include the information relied upon shall constitute a waiver of your facility's right to an informal review and to any subsequent administrative appeals. See the following chart for a reference to the Department's regulation that provides further explanation of your facility's appeal rights and the information you must present in your response:

<u>Type of Facility</u>	<u>Effective Date</u>	<u>Appeal Regulation Citation</u>
Nursing Facility	04-25-10	Principle #140 (MCBM, Chapter III, Section 67)
	09-29-10	Principle #140 (MCBM, Chapter III, Section 67)
Residential Care Facility	05-01-10	Principle #34.7 (DHHS rules 10-144, chapter 115)
PNMI	05-15-10	Principle #6000 (MCBM, Chapter III, Section 97)

(Note: MMAM = Maine Medical Assistance Manual, MCBM = MaineCare Benefits Manual)

2. Administrative Hearing:

If you disagree with the decision made after an informal review, you must request an administrative hearing by the Commissioner of the Department of Health and Human Services, or Commissioner's designee, by notifying the Commissioner's office, in writing **within 60 days of receipt of the informal review decision** of the issues that are in dispute. Only those issues presented for informal review will be considered at the administrative hearing. See MaineCare Benefits Manual, Chapter I, Section 1.21; also see the Administrative Hearing Regulations.

3. Petition for Judicial Review:

If you disagree with the Commissioner's final decision made after an administrative hearing, you may petition the Superior Court for judicial review of final agency action. See 5 M.R.S.A §§ 11001-11007.