



Department of Health and Human Services

Maine People Living Safe, Healthy and Productive Lives

Paul R. LePage, Governor

Mary C. Mayhew, Commissioner

Department of Health and Human Services
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IN THE MATTER OF:

Trade Winds Health Swim & Tan, Inc.
2 Park Drive, Suite 102
Rockland, ME 04841

FINAL DECISION

OK
5-26-16
JS

This is the Department of Health and Human Services' Final Decision.

The Recommended Decision of Hearing Officer Pickering, mailed March 23, 2016 has been reviewed.

I hereby adopt the findings of fact and I accept the Recommendation of the Hearing Officer that the Department was correct when for the period of 1/1/07 through 12/31/09, it determined that Trade Winds Health Swim and Tan, Inc. (Provider #128010000) owes the department \$122,953.83 in recoupment due to non-compliance with Chapter I, Section 1.03 (M) and Chapter II, Section 85.04, 85.07, and 85.09 of the MaineCare Benefits Manual; specifically, for treatments provided with no physician orders, or no plan of care signed and dated by a physician, or no documentation that the duration of service was the units of service billed, or that the servicing provider on the bill performed that service, or that the patient met the MaineCare guidelines that would allow for the services rendered.

DATED: 5/11/16 SIGNED: Mary C. Mayhew
MARY C. MAYHEW, COMMISSIONER
DEPARTMENT OF HEALTH & HUMAN SERVICES

YOU HAVE THE RIGHT TO JUDICIAL REVIEW UNDER THE MAINE RULES OF CIVIL PROCEDURE, RULE 80C. TO TAKE ADVANTAGE OF THIS RIGHT, A PETITION FOR REVIEW MUST BE FILED WITH THE APPROPRIATE SUPERIOR COURT WITHIN 30 DAYS OF THE RECEIPT OF THIS DECISION.

WITH SOME EXCEPTIONS, THE PARTY FILING AN APPEAL (80B OR 80C) OF A DECISION SHALL BE REQUIRED TO PAY THE COSTS TO THE DIVISION OF ADMINISTRATIVE HEARINGS FOR PROVIDING THE COURT WITH A CERTIFIED HEARING RECORD. THIS INCLUDES COSTS RELATED TO THE PROVISION OF A TRANSCRIPT OF THE HEARING RECORDING.

cc: Thomas Bradley, AAG, Office of the Attorney General
Eileen Downs, DHHS/Program Integrity