



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:

SeniorsPlus )
c/o Michael Poulin, Esq. )
Skelton, Taintor & Abbott ) FINAL DECISION
95 Main Street )
Auburn, ME 04210-5856 )

Handwritten note: OK 8B 4-27-16

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

The Recommended Decision of Hearing Officer Benedict, mailed February 16, 2016 has been reviewed and the responses and exceptions filed on behalf of SeniorsPlus have been reviewed.

I hereby adopt the findings of fact and I accept the Recommendation of the Hearing Officer that the Department was correct when it determined that for the fiscal year ending June 30, 2009, Agreement OES-9-351, SeniorsPlus failed to follow the cost sharing settlement method as illustrated in the agreement pro forma, thereby owing the Department \$1,108,787.00 in reimbursement. The Department was correct to require that SeniorsPlus return \$437,007.00 to the Department because SeniorsPlus had admitted that the \$437,007.00 is an overpayment for the 2009 contract.

DATED: 4/13/16 SIGNED: [Signature]
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: Jane Gregory, AAG, Office of the Attorney General
Anthony Madden, Deputy Director, Division of Audit