United States Department of Health and Human Services

DEPARTMENTAL APPEALS BOARD

Civil Remedies Division

In the Case of:	)	
	)	
_____	)	Date:
	)	
Petitioner,	)	
	)	Docket No. C- -
- v. -	)	
	)	
The Inspector General.	)	
	)	
_____	)	

INFORMAL BRIEF OF PETITIONER

The Inspector General (I.G.) argues that he must exclude you from participating in Medicare, Medicaid, and other federally-funded health care programs for at least five years, because you were convicted of a criminal offense that is described at section 1128(a)(2) of the Social Security Act.

The issue in this case is whether the I.G. is required to exclude you.

I. Were you convicted of a criminal offense?

____ Yes   ____ No

Do you agree that you were convicted of a criminal offense?

____ Yes   ____ No

If you **disagree**, explain why you disagree. State which exhibits support your argument and explain why they do.

II. Were you convicted of an offense for which exclusion is required?

The I.G. argues that he must exclude you, because your conviction related to the neglect or abuse of patients in connection with the delivery of a health care item or service.

Do you **disagree** with the I.G.'s argument?

_____ Yes   _____ No

If you disagree, explain why you disagree. State which exhibits support your argument and explain why they do.

III. Do you believe that an in-person hearing is necessary to decide your case?

_____ Yes   _____ No

Do you have any testimony that you wish to offer at an in-person hearing?

_____ Yes   _____ No

If you have testimony that you wish to offer, provide the following:

1. The name of each witness whose testimony you want to offer.

2. A description of each witness' proposed testimony and an explanation of why you believe that the testimony relates to any of the arguments you want to offer in connection with items I and II.

3. An explanation of why the proposed testimony does not duplicate something that is already stated in an exhibit.

IV. Do you have any other arguments you wish to make?   If so, please state them here. State which exhibits support your argument(s) and explain why they do.

_____
Petitioner or Petitioner's Representative

Date: _____