

Department of Health and Human Services

DEPARTMENTAL APPEALS BOARD

Civil Remedies Division

Lab Site Inc.,
(CLIA No. 16D1020985),

Petitioner,

v.

Centers for Medicare & Medicaid Services.

Docket No. C-14-411

ALJ Ruling No. 2014-30

Date: May 1, 2014

DISMISSAL

For the reasons set forth below, I conclude that Petitioner, Lab Site, Inc., is not entitled to Administrative Law Judge (ALJ) review of a determination made by the Centers for Medicare & Medicaid Services (CMS), because CMS has rescinded all remedies against it. I therefore dismiss its hearing request pursuant to 42 C.F.R. § 498.70(b).

Discussion

Petitioner is a clinical laboratory, located in Chalmette, Louisiana, that is certified under the Clinical Laboratory Improvement Amendments of 1988 (CLIA) and participates in the Medicare program. On July 30, 2013, the Louisiana Department of Health and Hospitals (State Agency) attempted to survey the lab, but could not find it at the address provided. In a letter dated September 24, 2013, CMS advised Lab Site that it would cancel its approval to receive Medicare payments and suspend its CLIA certificate.

Petitioner timely requested review.

