



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Departmental Appeals Board
Appellate Division, MS 6127
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Washington, D.C. 20201

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

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Laura E. Ellis, Senior Counsel
Jaishiri Mehta, Associate Counsel
Office of Counsel to the Inspector General
U.S. Department of Health and Human Services
Cohen Building, Room 5627
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Washington, DC 20201

Re: Brij Mittal, M.D. v. Inspector General
CR Docket No. C-03-669
Appellate Docket No. A-06-88
Appellate Decision No. 2045
Dated: September 20, 2006

DETERMINATION TO DECLINE REVIEW

Counsel:

On July 8, 2006, the petitioner, Brij Mittal, M.D., filed a Notice of Appeal regarding the May 10, 2006 decision issued by Administrative Law Judge (ALJ) Keith W. Sickendick (DAB CR1447). Based on our review of the record and our evaluation of the issues raised in the Notice of Appeal (and accompanying brief), we have determined that we need not issue a separate decision. We therefore decline review of the ALJ's May 10, 2006 decision.

The ALJ's decision becomes final and binding 60 days from the date of service of this letter. See 42 C.F.R. §

1005.21(j). The date of service will be deemed to be 5 days from the date of mailing.

Judicial review is available in an appropriate United States district court if a civil action is filed within 60 days after service of this decision. See sections 1128(f)(1) and 205(g) of the Social Security Act and 42 C.F.R. § 1005.21(k)(1).

_____/s/_____
Judith A. Ballard

_____/s/_____
Sheila Ann Hegy

_____/s/_____
Donald F. Garrett
Presiding Board Member

cc: Civil Remedies Division

Heidi Sorensen, OCIG
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