



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Departmental Appeals Board
Appellate Division, MS 6127
Room G-644, Cohen Building
330 Independence Avenue, SW
Washington, D.C. 20201

CERTIFIED MAIL -- RETURN RECEIPT REQUESTED

Stuart N. Fujioka, Esq.
1188 Bishop Street #1006
Honolulu, Hawaii 96813

and

INTER-OFFICE MAIL - RETURN RECEIPT REQUESTED

Katie Rose Fink, Associate Counsel
Office of Counsel to the Inspector General
U.S. Department of Health and Human Services
330 Independence Ave., S.W.
Cohen Building, Room 5527
Washington, D.C. 20201

Re: Khristiane Nicholas Lagua Caraang
a.k.a. Khristianeni Lagua Caraang
a.k.a. Khristian Caraang v.
Inspector General
DAB CR 1898
App. Div. Docket No. A-09-63
Decision No. 2238
Date: April 2, 2009

DETERMINATION TO DECLINE REVIEW

Counsel:

After reviewing the record to evaluate the issues presented by the exceptions, we have determined that we need not render a separate decision. We therefore decline review of and summarily affirm the administrative law judge's decision identified above.

Thus, the administrative law judge'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/

Stephen M. Godek

/s/

Constance B. Tobias

/s/

Judith A. Ballard
Presiding Board Member

cc: Civil Remedies Division

Robert K. DeConti, OCIG
Robin Schneider, OCIG
Susan Earp, OCIG