

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 you must be excluded from participating in Medicare, Medicaid, and other federally-funded health care programs for at least five years, because you were convicted of a felony that is described at section 1128(a)(4) 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 felony occurring after August 21, 1996?**

Yes                      No

Do you agree that you were convicted of a felony occurring after August 21, 1996?

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 your conviction related to the unlawful manufacture, distribution, prescription, or dispensing of a controlled substance.

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: