



PERSONNEL AND
READINESS

UNDER SECRETARY OF DEFENSE
4000 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-4000

The Honorable Elizabeth Warren
United States Senate
Washington, DC 20510

JAN - 8 2024

Dear Senator Warren:

Thank you for your July 25, 2023 letter to the Secretary of Defense and Director, Defense Health Agency regarding concerns that the Department of Defense is failing to prevent price gouging and overpayments in the TRICARE Health Program. I am responding on the Secretary's behalf as this matter falls under my purview.

Enclosed are responses to each of the questions and comments posed in your letter. Thank you for your continued strong support for the health and well-being of our Service members, veterans, and their families.

A handwritten signature in black ink, appearing to read "Ashish S. Vazirani", is located below the main body of the letter.

Ashish S. Vazirani
Acting

Enclosure:
As stated

Enclosure

1. *What steps is the DoD taking to ensure DHA has the appropriate internal controls in place to prevent price gouging?*

Response: To proactively root out fraud, the Defense Health Agency (DHA) routinely runs reports on payments over \$25,000 and reports identifying outliers for timely identification of fraud indicators and application of fraud/abuse alerts from public/private partners, including the National Health Care Association and Healthcare Fraud Prevention Program.

Additionally, DHA has taken several major steps to establish internal controls. For example, DHA modified its reimbursement of breast pumps in 2020, and established TRICARE-specific fee schedules for durable medical equipment (DME) items that were not priced by Medicare in 2021. Currently, DHA is conducting ongoing work for those few remaining services and supplies which do not have established pricing.

2. *Is the DoD aware of any other instances over the past 5 years where DHA/TRICARE detected overcharges?*

Response: Program vulnerabilities leading to potential overcharging in areas such as L-codes, urine drug screening, and DME supplies have been identified as areas of potential concern, and DHA is working to address appropriate reimbursement through policy. Additionally, services/procedures with state prevailing rate determination or services and supplies paid as billed are identified as area of potential overcharging and are being reviewed by DHA.

3. *In the 2019 DoD IG report, former Director Bono stated, "DHA would only recoup on payments that were erroneous." Do you agree with former Director's assessment that overpayments of \$16.2 and \$3.9 million are not erroneous?*

Response: DHA can only address the current process on reimbursement rates and allowable charges of the providers and will not comment on decisions made by former staff.

4. *If available, please provide me with former Director Bono's post-government employment guidance and ethics opinion.*

Response: Attachments 1-4 are the formal post-Government employment opinion letters that were issued to former Director Bono. These documents are redacted to remove information covered by the Privacy Act.

5. *What information does DoD have on claims-processor contractors owning and working with providers in the TRICARE program?*

Response: DHA is aware claims processing subcontractor PGBA has an ownership interest in certain medical providers who could receive TRICARE payments. This has been disclosed in the bid proposal process. PGBA's parent corporation, BlueCross BlueShield of South Carolina (BCBSSC), has a wholly-owned subsidiary, BlueChoice HealthPlan of South Carolina (BlueChoice). This subsidiary owns UCI Medical Affiliates, Inc., which provides

health care services, with approximately 2.1 percent of its revenues coming from TRICARE East Region beneficiaries. If these providers submit TRICARE claims, which PGBA would be responsible for processing and administering, there would be potential impaired objectivity organizational conflict of interest. PGBA requires controls to mitigate any conflicts of interest with activities of other BCBSSC entities.

TRICARE contractors are subject to legal and contractual provisions to eliminate or mitigate conflicts of interest. PGBA's process to mitigate this potential conflict of interest involves an annual independent audit conducted by an external firm. PGBA uses a competitive request for proposal process to select the external firm and will be fully responsible for the cost of each audit. DHA has determined PGBA has effective controls to mitigate actual or potential organizational conflicts of interest.

6. *What is DoD and DHA doing to prevent a conflict of interest with providers and claims-processors?*

Response: By law, contractors are to report any identified instances or perceived concerns with conflict of interest. The DoD Office of Inspector General (IG) and DHA recently developed a partnership to address concerns with potential acquisition (contract) fraud, and DHA Office of General Counsel provides annual training to all acquisition personnel on indicators of acquisition fraud and how to report concerns. All Managed Care Support Contracts include Federal Acquisition Regulation and Defense Federal Acquisition Regulation clauses addressing conflict of interest, and these types of arrangements are reviewed during contract source selection.

7. *What incentives exist for the claims-processor contractors to negotiate lower prices with providers?*

- a. *Please disclose any rebates sent to claims-processor contractors over the past 5 years, including the names of the provider groups that they negotiated with.*
- b. *Do claims-processor contractors negotiate discounts more often with providers who are not subject to fixed reimbursement agreements?*
- c. *For the Network Provider Discount Incentives:*
 - i. *How does DHA determine eligibility?*
 - ii. *How does DHA calculate the incentive amount?*
 - iii. *How much has DHA paid out to the contractors through these incentives over the past 5 years?*

Response: The claims-processor is a subcontractor to the Managed Care Support Contractor (MCSC). The Managed Care Support Contracts include language guaranteeing the Government receives a net discount from the Medicare payment amount

across all claims. This incentivizes the MCSCs to negotiate lower prices with providers, and these lower prices are passed along as lower costs to the Government, and lower costs to beneficiaries in the form of lower copays. If the MCSCs meet or exceed their network discount guarantee, they receive an incentive payment. If they do not meet their network discount guarantee, they owe money to the Government.

No rebates have been sent by the Government to the claims-processor subcontractor over the past 5 years.

8. *What incentives exist between DHA and the contractors to keep costs and prices low [comparable to Medicare reimbursement rates]?*

Response: 10 U.S.C. § 1029(i)(2) requires TRICARE to reimburse covered services and supplies using the same reimbursement rules as Medicare, when practicable. As noted in the previous response, the MCSCs are incentivized to negotiate lower prices with providers, and the lower prices are passed along as lower costs to the Government, and lower costs to beneficiaries in the form of lower copays. If the MCSCs meet or exceed their network discount guarantee, they receive an incentive payment. If they do not meet their network discount guarantee, they owe money to the Government.

9. *What is DHA's plan to detect overcharges and obtain reimbursement when it identifies them?*

Response: DHA has established set reimbursement rates for nearly all services and supplies rendered under the program. MCSCs are required to ensure proper payment of claims. When overpayments are detected, claims are recouped either through direct recoupment or offset. Identified overpayments are received and applied at the TRICARE Encounter Data (TED) level. When the contractors identify an overpayment, they submit an adjusted TED, and the overpayment is either offset from future payments or a demand is sent to the provider to return the overpayment.

10. *In the DHA PID Operation Report of 2020, PID shares that the division is omitted when new policies and benefits in TRICARE are determined, introducing "risk ... by lacking a cohesive 'anti-fraud' review of benefits." Has DHA changed this approach given this risk? If not, is DHA committed to making this change moving forward?*

Response: The risk identified in the Operation Report of 2020 has been mitigated for new benefits. For example, Health Care Fraud Division (HCFD, formerly known as DHA-PID) was included in the integrated project team for the Autism Care Demonstration update. Additionally, HCFD is included on coordination of new policies/benefits for review and comment prior to implementation.

11. Is DHA PID no longer producing the Operation Report on Fraud and Abuse?

- a. If no, why?*
- b. If yes, why is this not a public facing document?*

Response: HCFD continues to produce the Operations Report on Fraud and Abuse. The reports for Calendar Years (CYs) 2021 and 2022 are complete; however, due to internal restructuring the reports were not published on an external facing website. This has been rectified, and the reports are available under the DHA Office of the Inspector General, Health Care Fraud Division webpage at: <https://oig.hhs.gov/reports-and-publications/hcfac/index.asp>.

12. Please provide a list of all DHA IG reports from the past five years.

Response: The following is a list DHA IG inspection reports for Fiscal Year (FY) 2018 through FY 2023. DHA IG Inspections were suspended in FY 2021 due to manning deficiencies.

- DHA 18-01 – DHA National Capital Region Medical Directorate Security Levels
- DHA-18-02 – Fort Bliss Hospital Replacement Project Review
- DHA-18-03 – Canine Assisted Therapy Programs
- DHA-19-01 – Defense Medical Readiness Training Institute Assessment
- DHA-19-02 – Seymour Johnson Medical Treatment Facility Administration and Management of Health Care Operations
- DHA 19-03 – Uniform Services University of the Health Sciences Assessment
- DHA-20-01 – Privacy and Civil Liberties Division Inspection
- DHA-OIG-2022-01 – DHA Combat Support Agency Inspection

13. Is DHA still conducting the annual review DoD IG recommended? If so, what did the most recent review find? Please share a copy of the review.

Response: DHA annually reviews professional service procedures and treatments that previously did not have established TRICARE Maximum Allowable Charge (CMAC) rates to determine if there were enough claims nationally to calculate a new rate in accordance with existing TRICARE Policy (minimum of 50 claims nationally). The annual rate review is also used internally in identifying possible payment errors with the CMAC system for follow-up and further evaluation. National rates that were previously established are either updated by the annual CMS Medicare Economic Index if there are not at least 50 claims in the current period, or by recalculation of the previous year's claims to establish the updated national prevailing charge (set at the 80th percentile of billed charges nationally). Codes are also identified where other codes cover similar services provided in scope and time that can be used for payment if pricing was not available. The listing also identifies codes "bundled" into the primary procedure and not paid separately, along with codes on the No-Government Pay List, that should not be paid unless waived for payment through other existing TRICARE policy. We also review some codes that have no Medicare fee established to see

if a code without a fee is being used by providers to sidestep the CMAC rate process, and to consider setting the CMAC to similar code, if applicable. For rate year 2023, two new Current Procedural Terminology codes without Medicare fees (0479T and 0480T) with high charges were reviewed and TRICARE set their CMAC at comparable codes (17280 and 17286) that had established fees. Attachment 5 is a copy of the latest CY 2023 Annual Internal National Prevailing listing, as requested.

14. How does DHA coordinate with, or consider best practice anti-fraud tools utilized by, the Health Care Fraud and Abuse Control Program or the Health Care Fraud Prevention and Enforcement Team?

Response: The Health Care Fraud and Abuse Control Program and the Health Care Fraud Prevention and Enforcement Team are initiatives managed by the Department of Justice and the Department of Health and Human Services, in collaboration with other Federal agencies, to combat health care fraud in the United States. DHA HCFD works very closely with these agencies/programs. We are also part of the Healthcare Fraud Prevention Partnership (HFPP), a voluntary public-private partnership that helps detect and prevent health care fraud through data and information sharing. Partners include Federal Government agencies, State agencies, law enforcement, private health insurance plans, and health care anti-fraud associations. DHA is currently working with HFPP to integrate our data into this database. Other remedies in the DHA toolbox are proactive data analysis of claims for known fraud indicators, collaboration with external partners (including the National Health Care Anti-Fraud Association, Health Care Compliance Association, Association of Certified Fraud Examiners), exclusion and suspension authority through 32 CFR § 199.9, Civil Money Penalties, through 32 CFR Part 200, which is a tool to combat fraud in the TRICARE program, provider self-disclosure, prepayment and post-payment claims review, and duplicate claims review system.

Additionally, DHA has changed its approach to program integrity in the next generation of TRICARE (T5) contracts by aligning with industry standards, moving from a pay-and-chase approach to proactive identification of outliers and fraud indicators.

15. Over the past five years, has DHA requested any refunds for overcharges on medical goods or services?

a. If so, how much was requested and from what entities?

b. How much did DHA receive?

Response: Administrative recoupments are initiated when overpayments are identified. Reasons for overpayment include erroneous calculation of the allowable charge, erroneous coding of a procedure, erroneous calculation of a cost-share or deductible, and payment made for services rendered by an unauthorized provider. The general rule for determining liability is that the person who received the payment is responsible for the refund.

As required by contract, TRICARE contractors report administrative recoupment related to potential fraud on a quarterly and calendar year basis. Below are the combined totals of all administrative recoupments reported by calendar year.

Calendar Year	Total Administrative Recoupments
2018	\$8,776,376
2019	\$34,209,459
2020	\$16,073,985
2021	\$35,063,744
2022	\$58,891,479
2023 (Q1 AND Q2)	\$31,429,170

16. How would refunds be granted to DHA? What would the process entail?

Response: Identified overpayments are received and applied at the TED level. When the contractors identify an overpayment, they submit an adjusted TED, and the overpayment is either offset from future payments or a demand is sent to the provider to return the overpayment.

17. Over the past five years, which contracting companies received overpayment from DHA? For what items and what was the estimated overpayment for each item?

Response: The TRICARE Operations Manual addresses procedures to correct standard payment mistakes (over or under) that occur in the normal course of health plan business. These include accidental errors such as duplicate payment, common coding errors, or errors in calculation of the amount allowed to be paid. These standard payment mistakes (overpayment or underpayment) are reconciled after the fact, and because there are many and none result in further action, records are not kept for these and other simple mistakes.

Overcharges that are found to be fraud, waste, and abuse are erroneous overcharges usually intentional and are fully investigated. Attachment 6 provides a list of companies over the past 5 years for which we have documented overcharges and resulting recoupments.

18. Over the past five years, which provider companies received overpayment from DHA? For what items or services and what was the estimated overpayment for each item or service?

Response: DHA does not pay provider companies. All payments are made to the Managed Care Support Contractors, who have contracts with provider companies and make payments, and that data is include in the response to #17.

19. Are there U.S. Department of Health and Human Services price control authorities that DHA believes would be beneficial in the TRICARE program? If so, please list them.

Response: DHA has already adopted reimbursement systems from Medicare for most care rendered under the program. Where Medicare reimbursement systems were not available or

were not practicable (e.g., for residential treatment center care), DHA has established, via rulemaking, its own reimbursement methodologies.

20. *TRICARE is required to follow Medicare rates “to the extent practicable.” How does DHA establish its own reimbursement rates? What thresholds does DHA use to review claims?*

Response: Reimbursement rates are established via Notice and Comment Rulemaking and can be found in the TRICARE Regulation at 32 CF § 199.14. DHA reviews all line items paid over \$25,000 and routinely reviews claims that are paid as billed.

21. *How does DHA coordinate with the Centers for Medicare and Medicaid Services regarding Medicare code changes?*

Response: DHA utilizes the standard American Medical Association (AMA) code sets that are used across the health care industry. DHA monitors Medicare’s reimbursement systems and regularly evaluates their applicability to the TRICARE program, in accordance with our statute, regulation, and policy.

22. *Has DHA identified medical codes that are overly broad?*

Response: DHA has not identified medical codes that are overly broad, as DHA follows industry standard of utilizing Common Procedural Terminology and Healthcare Common Procedure Coding System, which are developed by the AMA. DHA does not establish its own medical codes for payment. The standardized AMA code sets do contain some codes which are unspecified to allow for documentation of procedures, services, or supplies, which are not described by a better code. This could apply for a novel, rare procedure, for example, where a code for the specific procedure does not exist.

23. *What is DHA doing to ensure that specific medical coding is used when available?*

Response: DHA requires use of the standard AMA code sets that are used across the health care industry. MCSCs are required to ensure proper use of medical coding and payment of claims. When errors or overpayments are detected, errors are corrected, and claims are recouped either through direct recoupment or offset as determined by DHA.

24. *What internal controls does DHA have to prevent overpayment for generic medical codes?*

Response: The MCSCs must not auto-adjudicate claims associated with generic or unspecified codes (also referred to as “dump codes”). For such claims, the MCSCs are required to: 1) manually process the claims; 2) perform a medical record review to determine the exact service billed; 3) determine if the service is medically necessary and appropriate; and, 4) price the claim by cross-walking “dump codes” to similar code(s) to ensure it is correctly priced.

25. *In December 2020, the Federal Register included a proposed rule entitled “TRICARE; Proposed Rates for Reimbursing Durable Medical Equipment... Items Not on the Medicare DMEPOS and PEN Fee Schedule.” What has DHA done to implement this rulemaking?*

Response: The referenced publication in the Federal Register was a Notice to advise the public of a sub-regulatory action. This policy was implemented on November 17, 2023, via Change 75 to the TRICARE Reimbursement Manual, Chapter 1, Section 11.

26. *Is DHA working to propose other rules that create price caps?*

Response: While DHA cannot comment on future rulemaking, DHA recently published two rules which may be of interest. First, in January 2023, DHA published an interim final rule to establish a Medicare-like reimbursement system for End Stage Renal Disease. Second, in April 2023, DHA published a Final Rule on reimbursement for: (1) Freestanding Ambulatory Surgery Centers; and (2) Adopting Medicare reimbursement methodology for outpatient care rendered in Cancer and Children’s Hospitals.

Attachment 1



DEFENSE
HEALTH AGENCY

**OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
HEALTH AFFAIRS**

7700 ARLINGTON BOULEVARD, SUITE 5101
FALLS CHURCH, VIRGINIA 22042-5101

OGC

December 18, 2019

VIA EMAIL TO: (b) (6)
AND FIRST CLASS MAIL

Admiral Raquel C. Bono, USN, Retired

(b) (6)

Dear Admiral Bono:

This replies to your request for an opinion regarding the legal propriety of undertaking certain post-employment activities. In providing this advice, I am acting on behalf of the United States and not as your personal representative. Neither the information you have provided nor this letter creates an attorney-client relationship. Additionally, my advice is based solely upon the information provided by you in your Post-Government Employment Advice Questionnaire (Questionnaire) dated December 10, 2019.

Background

Your request indicates that on or about October 1, 2019, you retired from your position at the Department of Defense. You were the Director, Defense Agency (DHA). In that role, you were the senior leader responsible for the most comprehensive reform of the Military Health System to include centralizing services and standardizing health processes and eliminating duplication. You also oversaw and directed a value-based enterprise through successful award of two highly competitive contracts in August 2016, valued at approximately twenty billion dollars. You held this position from November 2015 until the October 1, 2019.

Prior to this, you were the Director, National Capital Region, serving in that role from July 2013 until November 2015. You oversaw an operating budget exceeding one billion dollars to integrate several hospitals and clinics within the National Capital Area to deliver comprehensive medical services to 450,000 patients. You improved access to specialty care by efficiently scaling an integrated practice model across the Area.

Prior to July 2013, you were in Navy assignments at the JTF CAPMED and the Pacific Command.

You indicate that Johns Hopkins University Applied Physics Laboratory is interested in hiring you as a Senior Fellow to engage on strategic health care and health care delivery issues as well as national security strategy discussions.

Set forth below are your Post-Government employment restrictions.

Ethics Obligations & Restrictions:

Procurement Integrity Act and Section 847 of FY 08 NDAA

The law formerly known as the Procurement Integrity Act (PIA), now codified at 41 U.S.C. §§ 2101-07, prohibits former officials of Federal agencies from accepting compensation from the concerned contractor for one year if the former official served in one of several key acquisition roles¹ *or* performed designated acquisition services² on a procurement in excess of \$10M that the contractor was awarded either competitively or noncompetitively. You did not indicate in your Questionnaire, that during your last year of Government service, you served in one of the specified acquisition roles regarding an acquisition or contract in excess of \$10 million or performed any of the designated acquisition services on such procurement. ***Based on the information you provided, I have concluded that the PIA compensation ban does not apply to you.***

Section 847 of the National Defense Authorization Act for Fiscal Year 2008 is related to the PIA. Under this law, because you are a senior DoD official, you must request and receive a written opinion regarding the applicability of post-Government restrictions to your prospective employment before receiving pay from a DoD contractor if the following conditions are met: you participated personally and substantially in an acquisition with a value in excess of \$10M while serving in: (1) an Executive Schedule position; (2) a Senior Executive Service position; (3) a general or flag officer position; or (4) in the position of program manager, deputy program manager, procuring contracting officer, administrative contracting officer, source selection authority, member of the source selection evaluation board, or chief of a financial or technical evaluation team. On your Questionnaire, you did not indicate that you participated personally and substantially in an acquisition with a value in excess of \$10M. ***Based on the information you provided, it appears that you did not participate personally and substantially in an acquisition with a value in excess of \$10M; therefore, Section 847 is not applicable to you.***

Criminal Representational Bans

There are other statutory restrictions that are not procurement-related that may affect your employment activities after you leave Government service. A criminal statute, 18 U.S.C. § 207, which applies to all former Government employees has four parts that pertain to you and your post-Government activities. Generally, these are “representational” restrictions, meaning they limit your ability to represent another individual, organization, or company back to DoD, and in some instances, back to any part of the Executive or Judicial Branches (to avoid the appearance of the so-called “revolving door”). ***Importantly, these representational restrictions do not limit your ability to accept employment with any domestic organization or company, and generally***

¹ Designated key acquisition roles are: contracting officer; source selection authority; technical or financial evaluation team chief; program manager; deputy program manager; and administrative contracting officer.

² Designated acquisition services are: awarded a contract or subcontract in excess of \$10M; established overhead rates in excess of \$10M; or approved issuance of a contract payment in excess of \$10M within the last year.

allow you to work "behind the scenes" for your new employer on matters you worked on while a Government employee.

a. Lifetime Ban (18 U.S.C. § 207(a)(1)): You may not, knowingly, with the intent to influence, make any communication to or appearance before an employee of the United States, on behalf of another person or entity *in connection with a particular matter involving a specific party or parties, in which you participated personally and substantially while you were a Government employee* and in which the United States is a party or has a direct and substantial interest. A “particular matter involving specific parties” includes a specific, discrete proceeding affecting the legal rights of the parties or an isolatable transaction between identified parties, such as a specific Government contract, grant, license, product approval, enforcement action, administrative adjudication, or court case. Generally, one of the parties to the matter must be a person or entity outside of the Government. Furthermore, a particular matter involving specific parties is not, with some narrow exceptions, a broad policy matter or internal agency program.

This ban lasts for the “lifetime” of the particular matter (e.g., until contract performance has been completed and the contract matter is closed). Furthermore, please be advised that while it is generally true that participation or involvement in DoD policy development does not qualify as a “particular matter involving specific parties,” to the extent a policy is narrowly focused on the interests of a discrete and identifiable group of parties or organizations outside the Government, the lifetime ban may apply (e.g., if you helped set standards or developed a DoD policy that affected a narrow, niche segment of Government contractors). Similarly, an acquisition “program,” e.g., the ground combat vehicle, is generally not considered to be “a particular matter involving specific parties,” although the various individual contracts that fall under the program are, in fact, particular matters involving specific parties. To the extent that your participation on an underlying contract of an acquisition “program” is personal and substantial, you would be prohibited for the lifetime of that contract from communicating to or appearing before an employee of the United States on behalf of another with the intent to influence on that contract. Please remember that this prohibition applies to all particular matters involving specific parties that you may have worked on during the course of your Government career. This provision does not bar you from working on such matters for your employer, or its clients, in-house, “behind the scenes.” If you have any question about an action or initiative that you worked on and whether it qualifies as a particular matter involving specific parties, do not hesitate to contact this office for advice and clarification. In your case, your answers to the Questionnaire indicate you worked primarily on broad policy matters internal to the DHA and not particular matters involving specific parties.

b. Two-Year Ban (18 U.S.C. § 207(a)(2)): For two years after the termination of your employment with the United States, you may not knowingly, with the intent to influence, make any communication to or appearance before an employee of the executive or judicial branches of the U.S. Government, on behalf of another person or entity *in connection with a particular matter involving a specific party or parties*, in which the United States is a party or has a direct and substantial interest, *and which you know or reasonably should know was actually pending under your official responsibility within your last year of Government service.* “Under your

official responsibility” includes any direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government actions, assigned by statute, regulation, Executive Order, job description, or delegation of authority. For this provision, it is irrelevant whether you participated in the matter personally and substantially; the key is whether the matter was pending under your official responsibility. Thus, this provision would apply both to matters assigned to you, but on which you took no action and matters assigned to your subordinates. ***To the extent that particular matters involving specific parties were undertaken by DHA employees under your supervision or responsibility during your last year of Federal employment, the two-year representational ban will apply to you. This bar will run on October 2, 2021.***

c. One-Year Cooling Off (18 U.S.C. § 207(c)): As a senior official you are subject to this cooling-off restriction. ***For a period of one year after service in your “senior” position terminates, you are prohibited from communicating with or appearing before, on behalf of another with the intent to influence, officers and employees of the Department of Defense and the U. S. Navy on any matter on which official action is sought.*** This one-year cooling-off period is designed to diminish any appearance that Government decisions may be affected by the influence of former senior officials. It is irrelevant for purposes of section 207(c) that you did not work on the matter in question while in Government service. Importantly, this restriction limits your appearances before and communications with personnel of the Office of the Secretary of Defense and a group of Defense agencies including the Joint Combat Commands. We refer to this grouping of entities as the Fourth Estate. You are not prohibited from communicating with or appearing before the Departments of the Army, Air Force, Defense Information Systems Agency, Defense Logistics Agency, Defense Intelligence Agency, Defense Threat Reduction Agency, National Geospatial-Intelligence Agency, National Security Agency, and the National Reconnaissance Office. Furthermore, this ban does not bar your communications with personnel of any non-DoD or non-Navy Federal agency. Furthermore, the cooling-off provision does not prohibit you from providing “behind the scenes” assistance to your new employer or other entity. In interpreting these restrictions, the Office of Government Ethics (OGE) advises that the prohibition against representational activities before your former agency includes written or oral communications aimed at influencing the Government, but does not prohibit you from giving assistance concerning such matters to your new employer. See 5 C.F.R. § 2637.201(b)(6). OGE also advises that these restrictions do not apply to an appearance or communication to request publicly available documents or purely factual information, or to provide such information. Furthermore, the one-year cooling-off restriction does not prohibit purely social contacts with your former colleagues or appearing before the Government representing yourself. ***This bar will run on October 2, 2020.***

Emoluments Clause to the Constitution

As to the Emoluments Clause to the Constitution, article I, section 9, clause 8, as interpreted in Comptroller General opinions and by the Department of Justice Office of Legal Counsel, the Emoluments Clause prohibits receipt of consulting fees, gifts, travel expenses,

honoraria, or salary by all retired military personnel, officer and enlisted, Regular and Reserve, from a foreign government **unless Congressional consent is first obtained**. Consent is provided by Congress in 37 U.S.C. § 908, which requires advance approval from the relevant Service Secretary and the Secretary of State before accepting employment, consulting fees, gifts, travel expenses, honoraria or salary from a foreign government. So if you are ever in a position where you would receive an emolument from a Foreign Government or from an entity that might be controlled by a Foreign Government, be sure and seek advance approval.

New Section 1045 of the NDAA for FY 2018

Additionally, you are subject to the "anti-lobbying" restriction in Section 1045 of the Fiscal Year 2018 National Defense Authorization Act ("Section 1045"). As a general officer in the grade of O-9, this law imposes **a two-year restriction** on engaging in lobbying activities with certain DoD officials or, with respect to DoD matters, to certain non-DoD Federal officials for two years after retiring from the Navy. This legislation may limit your ability to work in positions requiring communications with certain DoD officials, or other Federal officials regarding DoD matters, while under the restriction. This ban differs from the criminal provisions discussed above in that it includes behind-the-scenes activity supporting lobbying contacts and applies across all DoD components during the applicable two-year cooling off period. It also differs in that it applies only with respect to communications to or with "covered officials." **This restriction will run on October 2, 2021.**

"Lobbying Activities." Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive Orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). Technical communications required by the terms of an existing contract with DoD are included as "compelled communications" that are not prohibited. Although communications with covered officials that are required under an existing contract that Johns Hopkins University Applied Physics Laboratory may have with the DHA or with other branches and offices in DoD may not be prohibited by Section 1045, you must remember that during the first year after your retirement from the Navy, the criminal statute discussed above, 18 U.S.C 207(c), will nonetheless prevent you from appearing before any personnel in the Navy or DHA or certain DoD agencies, including combatant commands, on any matter, including any existing contract.

For purposes of Section 1045, the term "communicates" includes "behind the scenes" assistance to an outside entity when such assistance is intended, at the time rendered, to be used to lobby covered Executive Branch officials. DoD has interpreted "behind the scenes" assistance in furtherance of prohibited "lobbying activities." under Section 1045 to include drafting an unsolicited proposed communication to a covered official in any Executive Branch agency on a DoD matter, advising on an appearance before DoD with the intent to influence, or consulting on other strategies intended to influence a covered Executive Branch official's official

discretionary decision or action on a particular matter. Merely advising an outside entity on general marketing and business development strategies related to the entity's products or services, assisting an outside entity in drafting a DoD solicited Request for Proposal (RFP), or providing "behind the scenes" assistance on an existing contract or grant would not be the type of behind the scenes assistance prohibited under Section 1045.

Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective employment. A prospective employer may be able to identify "lobbying contacts" because many firms must track and potentially report individual employees and expenses associated with those actions.

Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). These technical communications required by the terms of an existing contract with DoD are included as "compelled communications" but are not prohibited. Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective employment.³ These include authorization for submitting bid proposals or information elicited pursuant to requests for information or proposals. Behind the scenes work that is intended to support these sorts of contacts would not appear to violate Section 1045. Similarly, any behind the scenes activity of a strategic nature or otherwise not directed at supporting a lobbying contact is not within the prohibition. Your prospective employer may be able to identify "lobbying contacts" because many firms must track and potentially report individual employees and expenses associated with those actions. *Given our office's understanding of this recent provision, it does not appear that your anticipated employment, already restricted by the one year "cooling off" period, would be materially limited by this potential narrowing of permissible behind the scenes work. The result of Section 1045's removal of the ability to communicate with separate components of the Department is difficult to predict. In doing so it restricts you in the same manner as senior Presidentially Appointed, Senate-confirmed officials.*

³ The Lobbying Disclosure Act definitions (2 U.S.C. 1602) include several exceptions. For example:
The term "lobbying contact" does not include a communication that is--...

(v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;...

(viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;

(ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency, including any communication compelled by a Federal contract, grant, loan, permit, or license;

(x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

Non-public Information

You are also cautioned that you remain bound not to disclose any non-public government information, which you may have obtained through your Federal employment. Nonpublic information includes classified information, source selection data, information protected by the Privacy Act, proprietary information, information protected by the Trade Secrets Act, and other information that has not been made available to the public and is exempt from disclosure.

Compliance

Please remember that you are responsible for ensuring compliance with the post-Government employment rules. If you have any doubts about the propriety of a particular course of action, you should obtain advice before acting to ensure that you do not unwittingly violate one of these statutes. Feel free to contact me at (b) (6) or by email at (b) (6) if you have further questions.

Sincerely,

(b) (6)

Alternate Deputy Designated Agency Ethics
Official
Associate General Counsel

Attachment 2



DEFENSE
HEALTH AGENCY

**OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
HEALTH AFFAIRS**

7700 ARLINGTON BOULEVARD, SUITE 5101
FALLS CHURCH, VIRGINIA 22042-5101

OGC

February 5, 2020

VIA EMAIL TO: (b) (6)
AND FIRST CLASS MAIL

Admiral Raquel C. Bono, USN, Retired

(b) (6)

Dear Admiral Bono:

This letter replies to your request for an opinion regarding the legal propriety of you undertaking certain post-employment activities. In providing this advice, I am acting on behalf of the United States and not as your personal representative. Neither the information you have provided nor this letter creates an attorney-client relationship. Additionally, my advice is based solely upon the information provided by you in your Post-Government Employment Advice Questionnaire (Questionnaire) dated January 16, 2019.

You formed a limited liability corporation (LLC), RCB Consulting, LLC, and you would like to know if you can work through it for clients who do business with the Department of Defense.

Background

You retired on or about October 1, 2019, from the Navy and from your final Navy assignment as the Director, Defense Agency (DHA). In that role, you were the senior leader responsible for the most comprehensive reform of the Military Health System to include centralizing services and standardizing health processes and eliminating redundancies. You also oversaw and directed a value-based enterprise through successful award of two highly competitive contracts in August 2016, valued at approximately twenty billion dollars each. You held this position from November 2015, until the October 1, 2019.

Between July 2013 and November 2015, you were the Director, National Capital Region. You oversaw an operating budget exceeding one billion dollars to integrate several hospitals and clinics within the National Capital Area to deliver comprehensive medical services to 450,000 patients. You improved access to specialty care by efficiently scaling an integrated practice model across the Area.

Prior to July 2013, you were in Navy assignments at the JTF CAPMED and the Pacific Command.

Ethics Obligations & Restrictions: From the information you provided, *it is my opinion that no statute prohibits you from working for RCB Consulting, LLC, or any other third party, so long as you comply with the post Government employment restrictions discussed below.*

Procurement Integrity Act and Section 847 of FY 08 NDAA

The law formerly known as the Procurement Integrity Act (PIA), now codified at 41 U.S.C. §§ 2101-07, prohibits former officials of Federal agencies from accepting compensation from the concerned contractor for one year if the former official served in one of several key acquisition roles¹ *or* performed designated acquisition services² on a procurement in excess of \$10M that the contractor was awarded either competitively or noncompetitively. You did not indicate in your Questionnaire, that during your last two years of Government service, you served in one of the specified acquisition roles regarding an acquisition or contract in excess of \$10 million or performed any of the designated acquisition services on such procurement. ***Based on the information you provided, I concluded that the PIA compensation ban does not apply to you.***

Section 847 of the National Defense Authorization Act for Fiscal Year 2008 is related to the PIA. Under this law, because you are a senior DoD official, you must request and receive a written opinion regarding the applicability of post-Government restrictions to your prospective employment before receiving pay from a DoD contractor if the following conditions are met: you participated personally and substantially in an acquisition with a value in excess of \$10M while serving in: (1) an Executive Schedule position; (2) a Senior Executive Service position; (3) a general or flag officer position; or (4) in the position of program manager, deputy program manager, procuring contracting officer, administrative contracting officer, source selection authority, member of the source selection evaluation board, or chief of a financial or technical evaluation team. On your Questionnaire, you did not indicate that you participated personally and substantially in an acquisition with a value in excess of \$10M. ***Based on the information you provided, you did not participate personally and substantially in an acquisition with a value in excess of \$10M; therefore, Section 847 does not apply to you.***

Criminal Representational Bans

There are other statutory restrictions that are not procurement-related that may prohibit your employment activities after you leave Government service. A criminal statute, 18 U.S.C. § 207, which applies to all former Government employees has four parts that pertain to you and your post-Government activities. Generally, these are “representational” restrictions, meaning they limit your ability to represent another individual, organization, or company back to DoD, and in some instances, back to any part of the Executive or Judicial Branches (to avoid the appearance of the so-called “revolving door”). ***Importantly, these representational restrictions***

¹ Designated key acquisition roles are: contracting officer; source selection authority; technical or financial evaluation team chief; program manager; deputy program manager; and administrative contracting officer.

² Designated acquisition services are: awarded a contract or subcontract in excess of \$10M; established overhead rates in excess of \$10M; or approved issuance of a contract payment in excess of \$10M within the last year.

do not limit your ability to accept employment with any domestic organization or company, and generally allow you to work "behind the scenes" for your new employer on matters you worked on while a Government employee.

a. Lifetime Ban (18 U.S.C. § 207(a)(1)): You may not, knowingly, with the intent to influence, make any communication to or appearance before an employee of the United States, on behalf of another person or entity ***in connection with a particular matter involving a specific party or parties, in which you participated personally and substantially while you were a Government employee*** and in which the United States is a party or has a direct and substantial interest. A “particular matter involving specific parties” includes a specific, discrete proceeding affecting the legal rights of the parties or an isolatable transaction between identified parties, such as a specific Government contract, grant, license, product approval, enforcement action, administrative adjudication, or court case. Generally, one of the parties to the matter must be a person or entity outside of the Government. Furthermore, a particular matter involving specific parties is not, with some narrow exceptions, a broad policy matter or internal agency program.

This ban lasts for the “lifetime” of the particular matter (e.g., until contract performance has been completed and the contract matter is closed). Furthermore, please be advised that while it is generally true that participation or involvement in DoD policy development does not qualify as a “particular matter involving specific parties,” to the extent a policy is narrowly focused on the interests of a discrete and identifiable group of parties or organizations outside the Government, the lifetime ban may apply (e.g., if you helped set standards or developed a DoD policy that affected a narrow, niche segment of Government contractors). Similarly, an acquisition “program,” e.g., the ground combat vehicle, is generally not considered to be “a particular matter involving specific parties,” although the various individual contracts that fall under the program are, in fact, particular matters involving specific parties. To the extent that your participation on an underlying contract of an acquisition “program” is personal and substantial, you would be prohibited for the lifetime of that contract from communicating to or appearing before an employee of the United States on behalf of another with the intent to influence on that contract. Please remember that this prohibition applies to all particular matters involving specific parties that you may have worked on during the course of your Government career. This provision does not bar you from working on such matters for your employer, or its clients, in-house, “behind the scenes.” If you have any question about an action or initiative that you worked on and whether it qualifies as a particular matter involving specific parties, do not hesitate to contact this office for advice and clarification. In your case, your answers to the Questionnaire indicate you worked primarily on broad policy matters internal to the DHA and not particular matters involving specific parties.

b. Two-Year Ban (18 U.S.C. § 207(a)(2)): For two years after the termination of your employment with the United States, you may not knowingly, with the intent to influence, make any communication to or appearance before an employee of the executive or judicial branches of the U.S. Government, on behalf of another person or entity ***in connection with a particular matter involving a specific party or parties***, in which the United States is a party or has a direct and substantial interest, ***and which you know or reasonably should know was actually pending***

under your official responsibility within your last year of Government service. “Under your official responsibility” includes any direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government actions, assigned by statute, regulation, Executive Order, job description, or delegation of authority. For this provision, it is irrelevant whether you participated in the matter personally and substantially; the key is whether the matter was pending under your official responsibility. Thus, this provision would apply both to matters assigned to you, but on which you took no action and matters assigned to your subordinates. ***To the extent that particular matters involving specific parties were undertaken by DHA employees under your supervision or responsibility during your last year of Federal employment, which was October 1, 2018, through October 1, 2019, the two-year representational ban will apply to you. This bar will run on October 2, 2021.***

c. One-Year Cooling Off (18 U.S.C. § 207(c)): As a senior official you are subject to this cooling-off restriction. ***For a period of one year after service in your “senior” position terminates, you are prohibited from communicating with or appearing before, on behalf of another with the intent to influence, officers and employees of the Department of Defense and the U. S. Navy on any matter on which official action is sought.*** This one-year cooling-off period is designed to diminish any appearance that Government decisions may be affected by the influence of former senior officials. It is irrelevant for purposes of section 207(c) that you did not work on the matter in question while in Government service. Importantly, this restriction limits your appearances before and communications with personnel of the Office of the Secretary of Defense and a group of Defense agencies including the Joint Combat Commands. We refer to this grouping of entities as the Fourth Estate. You are not prohibited from communicating with or appearing before the Departments of the Army, Air Force, Defense Information Systems Agency, Defense Logistics Agency, Defense Intelligence Agency, Defense Threat Reduction Agency, National Geospatial-Intelligence Agency, National Security Agency, and the National Reconnaissance Office. Furthermore, this ban does not bar your communications with personnel of any non-DoD or non-Navy Federal agency. Furthermore, the cooling-off provision does not prohibit you from providing “behind the scenes” assistance to your new employer or other entity. In interpreting these restrictions, the Office of Government Ethics (OGE) advises that the prohibition against representational activities before your former agency includes written or oral communications aimed at influencing the Government, but does not prohibit you from giving assistance concerning such matters to your new employer. See 5 C.F.R. § 2637.201(b)(6). OGE also advises that these restrictions do not apply to an appearance or communication to request publicly available documents or purely factual information, or to provide such information. Furthermore, the one-year cooling-off restriction does not prohibit purely social contacts with your former colleagues or appearing before the Government representing yourself. ***This bar will run on October 2, 2020.***

d. Foreign Entities (18 U.S.C. §207(f)): Because you are covered by §207(c), you are also prohibited, for a period of one year, from representing a foreign entity before any officer or employee of the United States; and from aiding or advising a foreign entity with the intent to

influence a decision of any officer or employee of the United States. **This bar will run on October 2, 2020.**

Emoluments Clause to the Constitution

As to the Emoluments Clause to the Constitution, article I, section 9, clause 8, as interpreted in Comptroller General opinions and by the Department of Justice Office of Legal Counsel, the Emoluments Clause prohibits receipt of consulting fees, gifts, travel expenses, honoraria, or salary by all retired military personnel, officer and enlisted, Regular and Reserve, from a foreign government **unless Congressional consent is first obtained**. Consent is provided by Congress in 37 U.S.C. § 908, which requires advance approval from the relevant Service Secretary and the Secretary of State before accepting employment, consulting fees, gifts, travel expenses, honoraria or salary from a foreign government. If you are ever in a position where you would receive an emolument from a Foreign government or from an entity that might be controlled by a Foreign government, be sure and seek advance approval.

New Section 1045 of the NDAA for FY 2018

Additionally, you are subject to the "anti-lobbying" restriction in Section 1045 of the Fiscal Year 2018 National Defense Authorization Act ("Section 1045"). As a general officer in the grade of O-9, this law imposes **a two-year restriction** on engaging in lobbying activities with certain DoD officials or, with respect to DoD matters, to certain non-DoD Federal officials for two years after retiring from the Navy. This legislation may limit your ability to work in positions requiring communications with certain DoD officials, or other Federal officials regarding DoD matters, while under the restriction. **This ban differs from the criminal provisions discussed above in that it includes behind-the-scenes activity supporting lobbying contacts and applies across all DoD components during the applicable two-year cooling off period.** It also differs in that it applies only with respect to communications to or with "covered officials."³ **This restriction will run on October 2, 2021.**

"Lobbying Activities." Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive Orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). Technical communications required by the terms of an existing contract with DoD are included as "compelled communications" that are not prohibited. Although communications with covered officials that are required under an existing contract that a company may have with the DHA or with other branches and offices in DoD may not be

³ Covered officials are: President; Vice President; any officer or employee in the Executive Office of the President; any officer or employee serving in a position in level I, II, III, IV or V of the Executive Schedule (PAS); any political appointee (non-career SES or Schedule C); & any member of the uniformed services whose rank is above O7.

prohibited by Section 1045, you must remember that during the first year after your retirement from the Navy, the criminal statute discussed above, 18 U.S.C 207(c), will nonetheless prevent you from appearing before any personnel in the Navy or DHA or certain DoD agencies, including combatant commands, on any matter, including any existing contract.

For purposes of Section 1045, the term "communicates" includes "behind the scenes" assistance to an outside entity when such assistance is intended, at the time rendered, to be used to lobby covered Executive Branch officials. DoD has interpreted "behind the scenes" assistance in furtherance of prohibited "lobbying activities." under Section 1045 to include drafting an unsolicited proposed communication to a covered official in any Executive Branch agency on a DoD matter, advising on an appearance before DoD with the intent to influence, or consulting on other strategies intended to influence a covered Executive Branch official's official discretionary decision or action on a particular matter. Merely advising an outside entity on general marketing and business development strategies related to the entity's products or services, assisting an outside entity in drafting a DoD solicited Request for Proposal (RFP), or providing "behind the scenes" assistance on an existing contract or grant would not be the type of behind the scenes assistance prohibited under Section 1045.

Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective activities for RCB Consulting, LLC. A prospective client may be able to identify "lobbying contacts" because many firms must track and potentially report individual employees and expenses associated with those actions.

Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). These technical communications required by the terms of an existing contract with DoD are included as "compelled communications" but are not prohibited. Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective activities for RCB Consulting, LLC.⁴ These include authorization for submitting bid proposals or information elicited pursuant to requests for information or proposals. Behind the scenes work that is intended to support these sorts of

⁴ The Lobbying Disclosure Act definitions (2 U.S.C. 1602) include several exceptions. For example:

The term "**lobbying contact**" **does not include** a communication that is--...

- (v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;...
- (viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;
- (ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency, including any communication compelled by a Federal contract, grant, loan, permit, or license;
- (x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

contacts would not appear to violate Section 1045. Similarly, any behind the scenes activity of a strategic nature or otherwise not directed at supporting a lobbying contact is not within the prohibition. Your prospective clients may be able to identify “lobbying contacts” because many firms must track and potentially report individual employees and expenses associated with those actions. *Given our office’s understanding of this recent provision, it does not appear that your anticipated employment, already restricted by the one year “cooling off” period, would be materially limited by this potential narrowing of permissible behind the scenes work. The result of Section 1045’s removal of the ability to communicate with separate components of the Department is difficult to predict. In doing so it restricts you in the same manner as senior Presidentially Appointed, Senate-confirmed officials.*

Non-public Information

You are also cautioned that you remain bound not to disclose any non-public government information, which you may have obtained through your Federal employment. Nonpublic information includes classified information, source selection data, information protected by the Privacy Act, proprietary information, information protected by the Trade Secrets Act, and other information that has not been made available to the public and is exempt from disclosure.

Compliance

Please remember that you are responsible for ensuring compliance with the post-Government employment rules. If you have any doubts about the propriety of a particular course of action, you should obtain advice before acting to ensure that you do not unwittingly violate one of these statutes. Feel free to contact me at (b) (6) or by email at (b) (6) if you have further questions.

Sincerely,

(b) (6)

Alternate Deputy Designated Agency Ethics
Official
Associate General Counsel

Attachment 3



DEFENSE
HEALTH AGENCY

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
HEALTH AFFAIRS

7700 ARLINGTON BOULEVARD, SUITE 5101
FALLS CHURCH, VIRGINIA 22042-5101

OGC

July 21, 2021

VIA EMAIL TO: (b) (6)

Dear Admiral Bono:

This letter replies to your recent request for a legal opinion regarding the propriety of you undertaking certain post-employment activities. In providing this advice, I am acting on behalf of the United States and not as your personal representative. Neither the information you have provided nor this letter creates an attorney-client relationship. Additionally, my advice is based upon the information provided by you in your Post-Government Employment Advice Questionnaire (Questionnaire) dated July 4, 2021, and emails we exchanged.

You have asked if you may accept a position with (b) (6) as Senior Advisor (Consultant). Your duties would be to collaborate with (b) (6) across private and public sectors to build relationships across health and leadership ecosystems, improve leadership transitions, and enhance diversity, equity and inclusion initiatives.

Background

You retired on or about October 1, 2019, from the Navy and from your final Navy assignment as the Director, Defense Agency (DHA). In that role, you were the senior leader and were responsible for the most comprehensive reform of the Military Health System to include centralizing services and standardizing health processes and eliminating redundancies. You also oversaw and directed a value-based enterprise through successful award of two highly competitive contracts in August 2016, valued at approximately twenty billion dollars each. You held this position from November 2015, until the October 1, 2019.

Between July 2013 and November 2015, you were the Director, National Capital Region. You oversaw an operating budget exceeding one billion dollars to integrate several hospitals and clinics within the National Capital Area to deliver comprehensive medical services to 450,000 patients. You improved access to specialty care by efficiently scaling an integrated practice model across the Area.

Prior to July 2013, you were in Navy assignments at the JTF CAPMED and the Pacific Command.

Ethics Obligations & Restrictions: From the information you provided, *it is my opinion that no statute prohibits you from working for (b) (6) company so long as you comply with the post Government employment restrictions discussed below.*

Procurement Integrity Act and Section 847 of FY 08 NDAA

The law formerly known as the Procurement Integrity Act (PIA), now codified at 41 U.S.C. §§ 2101-07, prohibits former officials of Federal agencies from accepting compensation from the concerned contractor for one year if the former official served in one of several key acquisition roles¹ **or** performed designated acquisition services² on a procurement in excess of \$10M that the contractor was awarded either competitively or noncompetitively. You did not indicate in your Questionnaire, that during your last two years of Government service, you served in one of the specified acquisition roles regarding an acquisition or contract in excess of \$10 million or performed any of the designated acquisition services on such procurement. ***Based on the information you provided, I concluded that the PIA compensation ban does not apply to you.***

Section 847 of the National Defense Authorization Act for Fiscal Year 2008 is related to the PIA. Under this law, because you are a senior DoD official, you must request and receive a written opinion regarding the applicability of post-Government restrictions to your prospective employment before receiving pay from a DoD contractor if the following conditions are met: you participated personally and substantially in an acquisition with a value in excess of \$10M while serving in: (1) an Executive Schedule position; (2) a Senior Executive Service position; (3) a general or flag officer position; or (4) in the position of program manager, deputy program manager, procuring contracting officer, administrative contracting officer, source selection authority, member of the source selection evaluation board, or chief of a financial or technical evaluation team. On your Questionnaire, you did not indicate that you participated personally and substantially in an acquisition with a value in excess of \$10M. ***Based on the information you provided, you did not participate personally and substantially in an acquisition with a value in excess of \$10M; therefore, Section 847 does not apply to you.***

Criminal Representational Bans

There are other statutory restrictions that are not procurement-related that may prohibit your employment activities after you leave Government service. A criminal statute, 18 U.S.C. § 207, which applies to all former Government employees has four parts that pertain to you and your post-Government activities. Generally, these are “representational” restrictions, meaning they limit your ability to represent another individual, organization, or company back to DoD, and in some instances, back to any part of the Executive or Judicial Branches (to avoid the appearance of the so-called “revolving door”). ***Importantly, these representational restrictions do not limit your ability to accept employment with any domestic organization or company, and generally allow you to work "behind the scenes" for your new employer on matters you worked on while a Government employee.***

¹ Designated key acquisition roles are: contracting officer; source selection authority; technical or financial evaluation team chief; program manager; deputy program manager; and administrative contracting officer.

² Designated acquisition services are: awarded a contract or subcontract in excess of \$10M; established overhead rates in excess of \$10M; or approved issuance of a contract payment in excess of \$10M within the last year.

a. Lifetime Ban (18 U.S.C. § 207(a)(1)): You may not, knowingly, with the intent to influence, make any communication to or appearance before an employee of the United States, on behalf of another person or entity *in connection with a particular matter involving a specific party or parties, in which you participated personally and substantially while you were a Government employee* and in which the United States is a party or has a direct and substantial interest. A “particular matter involving specific parties” includes a specific, discrete proceeding affecting the legal rights of the parties or an isolatable transaction between identified parties, such as a specific Government contract, grant, license, product approval, enforcement action, administrative adjudication, or court case. Generally, one of the parties to the matter must be a person or entity outside of the Government. Furthermore, a particular matter involving specific parties is not, with some narrow exceptions, a broad policy matter or internal agency program.

This ban lasts for the “lifetime” of the particular matter (e.g., until contract performance has been completed and the contract matter is closed). Furthermore, please be advised that while it is generally true that participation or involvement in DoD policy development does not qualify as a “particular matter involving specific parties,” to the extent a policy is narrowly focused on the interests of a discrete and identifiable group of parties or organizations outside the Government, the lifetime ban may apply (e.g., if you helped set standards or developed a DoD policy that affected a narrow, niche segment of Government contractors). Similarly, an acquisition “program,” e.g., the ground combat vehicle, is generally not considered to be “a particular matter involving specific parties,” although the various individual contracts that fall under the program are, in fact, particular matters involving specific parties. To the extent that your participation on an underlying contract of an acquisition “program” is personal and substantial, you would be prohibited for the lifetime of that contract from communicating to or appearing before an employee of the United States on behalf of another with the intent to influence on that contract. Please remember that this prohibition applies to all particular matters involving specific parties that you may have worked on during the course of your Government career. This provision does not bar you from working on such matters for your employer, or its clients, in-house, “behind the scenes.” If you have any question about an action or initiative that you worked on and whether it qualifies as a particular matter involving specific parties, do not hesitate to contact this office for advice and clarification. In your case, your answers to the Questionnaire indicate you worked primarily on broad policy matters internal to the DHA and not particular matters involving specific parties.

b. Two-Year Ban (18 U.S.C. § 207(a)(2)): For two years after the termination of your employment with the United States, you may not knowingly, with the intent to influence, make any communication to or appearance before an employee of the executive or judicial branches of the U.S. Government, on behalf of another person or entity *in connection with a particular matter involving a specific party or parties*, in which the United States is a party or has a direct and substantial interest, *and which you know or reasonably should know was actually pending under your official responsibility within your last year of Government service*. “Under your official responsibility” includes any direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government actions, assigned by

statute, regulation, Executive Order, job description, or delegation of authority. For this provision, it is irrelevant whether you participated in the matter personally and substantially; the key is whether the matter was pending under your official responsibility. Thus, this provision would apply both to matters assigned to you, but on which you took no action and matters assigned to your subordinates. This would include any DHA contract with (b) (6) that was in existence during your final year of service with the Navy and DHA. ***To the extent that particular matters involving specific parties were undertaken by DHA employees under your supervision or responsibility during your last year of Federal employment, which was October 1, 2018, through October 1, 2019, the two-year representational ban will apply to you. This bar will run on October 2, 2021.***

c. One-Year Cooling Off (18 U.S.C. § 207(c)): As a senior official you are subject to this cooling-off restriction. ***For a period of one year after service in your “senior” position terminates, you are prohibited from communicating with or appearing before, on behalf of another with the intent to influence, officers and employees of the Department of Defense and the U. S. Navy on any matter on which official action is sought.*** This one-year cooling-off period is designed to diminish any appearance that Government decisions may be affected by the influence of former senior officials. It is irrelevant for purposes of section 207(c) that you did not work on the matter in question while in Government service. Importantly, this restriction limits your appearances before and communications with personnel of the Office of the Secretary of Defense and a group of Defense agencies including the Joint Combat Commands. We refer to this grouping of entities as the Fourth Estate. You are not prohibited from communicating with or appearing before the Departments of the Army, Air Force, Defense Information Systems Agency, Defense Logistics Agency, Defense Intelligence Agency, Defense Threat Reduction Agency, National Geospatial-Intelligence Agency, National Security Agency, and the National Reconnaissance Office. Furthermore, this ban does not bar your communications with personnel of any non-DoD or non-Navy Federal agency. Furthermore, the cooling-off provision does not prohibit you from providing "behind the scenes" assistance to your new employer or other entity. In interpreting these restrictions, the Office of Government Ethics (OGE) advises that the prohibition against representational activities before your former agency includes written or oral communications aimed at influencing the Government, but does not prohibit you from giving assistance concerning such matters to your new employer. See 5 C.F.R. § 2637.201(b)(6). OGE also advises that these restrictions do not apply to an appearance or communication to request publicly available documents or purely factual information, or to provide such information. Furthermore, the one-year cooling-off restriction does not prohibit purely social contacts with your former colleagues or appearing before the Government representing yourself. ***This bar ran for you on October 2, 2020.***

d. Foreign Entities (18 U.S.C. §207(f)): Because you are covered by §207(c), you are also prohibited, for a period of one year, from representing a foreign entity before any officer or employee of the United States; and from aiding or advising a foreign entity with the intent to influence a decision of any officer or employee of the United States. ***This bar ran for you on October 2, 2020.***

Emoluments Clause to the Constitution

As to the Emoluments Clause to the Constitution, article I, section 9, clause 8, as interpreted in Comptroller General opinions and by the Department of Justice Office of Legal Counsel, the Emoluments Clause prohibits receipt of consulting fees, gifts, travel expenses, honoraria, or salary by all retired military personnel, officer and enlisted, Regular and Reserve, from a foreign government **unless Congressional consent is first obtained**. Consent is provided by Congress in 37 U.S.C. § 908, which requires advance approval from the relevant Service Secretary and the Secretary of State before accepting employment, consulting fees, gifts, travel expenses, honoraria or salary from a foreign government. If you are ever in a position where you would receive an emolument from a Foreign government or from an entity that might be controlled by a Foreign government, be to seek advance approval from the Navy.

New Section 1045 of the NDAA for FY 2018

Additionally, you are subject to the "anti-lobbying" restriction in Section 1045 of the Fiscal Year 2018 National Defense Authorization Act ("Section 1045"). As a general officer in the grade of O-9, this law imposes **a two-year restriction** on engaging in lobbying activities with certain DoD officials or, with respect to DoD matters, to certain non-DoD Federal officials for two years after retiring from the Navy. This legislation may limit your ability to work in positions requiring communications with certain DoD officials, or other Federal officials regarding DoD matters, while under the restriction. **This ban differs from the criminal provisions discussed above in that it includes behind-the-scenes activity supporting lobbying contacts and applies across all DoD components during the applicable two-year cooling off period.** It also differs in that it applies only with respect to communications to or with "covered officials."³ **This restriction will run on October 2, 2021.**

"Lobbying Activities." Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive Orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). Technical communications required by the terms of an existing contract with DoD are included as "compelled communications" that are not prohibited. Although communications with covered officials that are required under an existing contract that a company may have with the DHA or with other branches and offices in DoD may not be prohibited by Section 1045, you must remember that during the first year after your retirement from the Navy, the criminal statute discussed above, 18 U.S.C 207(c), will nonetheless prevent

³ Covered officials are: President; Vice President; any officer or employee in the Executive Office of the President; any officer or employee serving in a position in level I, II, III, IV or V of the Executive Schedule (PAS); any political appointee (non-career SES or Schedule C); & any member of the uniformed serviced whose rank is above O7.

you from appearing before any personnel in the Navy or DHA or certain DoD agencies, including combatant commands, on any matter, including any existing contract.

For purposes of Section 1045, the term "communicates" includes "behind the scenes" assistance to an outside entity when such assistance is intended, at the time rendered, to be used to lobby covered Executive Branch officials. DoD has interpreted "behind the scenes" assistance in furtherance of prohibited "lobbying activities." under Section 1045 to include drafting an unsolicited proposed communication to a covered official in any Executive Branch agency on a DoD matter, advising on an appearance before DoD with the intent to influence, or consulting on other strategies intended to influence a covered Executive Branch official's official discretionary decision or action on a particular matter. Merely advising an outside entity on general marketing and business development strategies related to the entity's products or services, assisting an outside entity in drafting a DoD solicited Request for Proposal (RFP), or providing "behind the scenes" assistance on an existing contract or grant would not be the type of behind the scenes assistance prohibited under Section 1045.

Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective activities for RCB Consulting, LLC. A prospective client may be able to identify "lobbying contacts" because many firms must track and potentially report individual employees and expenses associated with those actions.

Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). These technical communications required by the terms of an existing contract with DoD are included as "compelled communications" but are not prohibited. Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective activities for (b) (6).⁴ These include authorization for submitting bid proposals or information elicited pursuant to requests for information or proposals. Behind the scenes work that is intended to support these sorts of contacts would not appear to violate Section 1045. Similarly, any behind the scenes activity of a strategic nature or otherwise not directed at supporting a lobbying contact is not within the

⁴ The Lobbying Disclosure Act definitions (2 U.S.C. 1602) include several exceptions. For example: The term "lobbying contact" does not include a communication that is--...

- (v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;...
- (viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;
- (ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency, including any communication compelled by a Federal contract, grant, loan, permit, or license;
- (x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

prohibition. Your prospective employer may be able to identify “lobbying contacts” because many firms must track and potentially report individual employees and expenses associated with those actions. *Given our office’s understanding of this recent provision, it does not appear that your anticipated employment, already restricted by the one year “cooling off” period, would be materially limited by this potential narrowing of permissible behind the scenes work. The result of Section 1045’s removal of the ability to communicate with separate components of the Department is difficult to predict. In doing so it restricts you in the same manner as senior Presidentially Appointed, Senate-confirmed officials.*

Non-public Information

You are also cautioned that you remain bound not to disclose any non-public government information, which you may have obtained through your Federal employment. Nonpublic information includes classified information, source selection data, information protected by the Privacy Act, proprietary information, information protected by the Trade Secrets Act, and other information that has not been made available to the public and is exempt from disclosure.

Compliance

Please remember that you are responsible for ensuring compliance with the post-Government employment rules. If you have any doubts about the propriety of a particular course of action, you should obtain advice before acting to ensure that you do not unwittingly violate one of these statutes. Feel free to contact me at (b) (6) or by email at (b) (6) if you have further questions.

Sincerely,

(b) (6)

Alternate Deputy Designated Agency Ethics
Official
Associate General Counsel

Attachment

4



DEFENSE
HEALTH AGENCY

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
HEALTH AFFAIRS

7700 ARLINGTON BOULEVARD, SUITE 5101
FALLS CHURCH, VIRGINIA 22042-5101

OGC

September 11, 2020

VIA EMAIL TO: (b) (6)

Admiral Raquel C. Bono, USN, Retired

Dear Admiral Bono:

This follows my prior letter of February 4, 2020, to you and replies to your new request for an opinion regarding the legal propriety of you accepting an invitation to become a member of the board of directors of Humana, Inc. In providing this advice, I am acting on behalf of the United States and not as your personal representative. Neither the information you have provided nor this letter creates an attorney-client relationship.

Background

You retired on or about October 1, 2019, from the Navy and from your final Navy assignment as the Director, Defense Agency (DHA). In that role, you were the senior leader responsible for the most comprehensive reform of the Military Health System to include centralizing services and standardizing health processes and eliminating redundancies. You also oversaw and directed a value-based enterprise through successful award of two highly competitive contracts in August 2016, valued at approximately twenty billion dollars each. (One of the two contracts was awarded to Humana, Inc.) You held this position from November 2015, until the October 1, 2019.

Between July 2013 and November 2015, you were the Director, National Capital Region. You oversaw an operating budget exceeding one billion dollars to integrate several hospitals and clinics within the National Capital Area to deliver comprehensive medical services to 450,000 patients. You improved access to specialty care by efficiently scaling an integrated practice model across the Area.

Prior to July 2013, you were in Navy assignments at the JTF CAPMED and the Pacific Command.

Ethics Obligations & Restrictions: From the information you provided, *it is my opinion that no statute prohibits you joining the board of Humana, Inc., so long as you comply with the post Government employment restrictions discussed below.*

Procurement Integrity Act and Section 847 of FY 08 NDAA

The law formerly known as the Procurement Integrity Act (PIA), now codified at 41 U.S.C. §§ 2101-07, prohibits former officials of Federal agencies from accepting compensation from the concerned contractor for one year if the former official served in one of several key acquisition roles¹ *or* performed designated acquisition services² on a procurement in excess of \$10M that the contractor was awarded either competitively or noncompetitively. In my February 5, 2020, letter to you, I concluded, based on the information you provided to me, that ***the PIA compensation ban does not apply to you.***

Section 847 of the National Defense Authorization Act for Fiscal Year 2008 is related to the PIA. Under this law, because you are a senior DoD official, you must request and receive a written opinion regarding the applicability of post-Government restrictions to your prospective employment before receiving pay from a DoD contractor if the following conditions are met: you participated personally and substantially in an acquisition with a value in excess of \$10M while serving in: (1) an Executive Schedule position; (2) a Senior Executive Service position; (3) a general or flag officer position; or (4) in the position of program manager, deputy program manager, procuring contracting officer, administrative contracting officer, source selection authority, member of the source selection evaluation board, or chief of a financial or technical evaluation team. In my February 5, 2020, letter to you, I concluded, based on the information you provided to me, ***you did not participate personally and substantially in an acquisition with a value in excess of \$10M and therefore, Section 847 does not apply to you.***

Criminal Representational Bans

There are other statutory restrictions that are not procurement-related that may prohibit your employment activities after you leave Government service. A criminal statute, 18 U.S.C. § 207, which applies to all former Government employees has four parts that pertain to you and your post-Government activities. Generally, these are “representational” restrictions, meaning they limit your ability to represent another individual, organization, or company back to DoD, and in some instances, back to any part of the Executive or Judicial Branches (to avoid the appearance of the so-called “revolving door”). ***Importantly, these representational restrictions do not limit your ability to accept employment with any domestic organization or company, and generally allow you to work "behind the scenes" for your new employer on matters you worked on while a Government employee.***

a. Lifetime Ban (18 U.S.C. § 207(a)(1)): You may not, knowingly, with the intent to influence, make any communication to or appearance before an employee of the United States, on behalf of another person or entity ***in connection with a particular matter involving a specific party or parties, in which you participated personally and substantially while you were a***

¹ Designated key acquisition roles are: contracting officer; source selection authority; technical or financial evaluation team chief; program manager; deputy program manager; and administrative contracting officer.

² Designated acquisition services are: awarded a contract or subcontract in excess of \$10M; established overhead rates in excess of \$10M; or approved issuance of a contract payment in excess of \$10M within the last year.

Government employee and in which the United States is a party or has a direct and substantial interest. A “particular matter involving specific parties” includes a specific, discrete proceeding affecting the legal rights of the parties or an isolatable transaction between identified parties, such as a specific Government contract, grant, license, product approval, enforcement action, administrative adjudication, or court case. Generally, one of the parties to the matter must be a person or entity outside of the Government. Furthermore, a particular matter involving specific parties is not, with some narrow exceptions, a broad policy matter or internal agency program.

This ban lasts for the “lifetime” of the particular matter (e.g., until contract performance has been completed and the contract matter is closed). Furthermore, please be advised that while it is generally true that participation or involvement in DoD policy development does not qualify as a “particular matter involving specific parties,” to the extent a policy is narrowly focused on the interests of a discrete and identifiable group of parties or organizations outside the Government, the lifetime ban may apply (e.g., if you helped set standards or developed a DoD policy that affected a narrow, niche segment of Government contractors). Similarly, an acquisition “program,” e.g., the ground combat vehicle, is generally not considered to be “a particular matter involving specific parties,” although the various individual contracts that fall under the program are, in fact, particular matters involving specific parties. To the extent that your participation on an underlying contract of an acquisition “program” is personal and substantial, you would be prohibited for the lifetime of that contract from communicating to or appearing before an employee of the United States on behalf of another with the intent to influence on that contract. Please remember that this prohibition applies to all particular matters involving specific parties that you may have worked on during the course of your Government career. This provision does not bar you from working on such matters for your employer, or its clients, in-house, “behind the scenes.” If you have any question about an action or initiative that you worked on and whether it qualifies as a particular matter involving specific parties, do not hesitate to contact this office for advice and clarification. In your case, your answers to the Questionnaire indicate you worked primarily on broad policy matters internal to the DHA and not particular matters involving specific parties. **Further, if you participated on the Managed Care Support Contracts with Humana known as T3 and T2017 personally and substantially, then you will have a lifetime bar for those contracts.**

b. Two-Year Ban (18 U.S.C. § 207(a)(2)): For two years after the termination of your employment with the United States, you may not knowingly, with the intent to influence, make any communication to or appearance before an employee of the executive or judicial branches of the U.S. Government, on behalf of another person or entity ***in connection with a particular matter involving a specific party or parties***, in which the United States is a party or has a direct and substantial interest, ***and which you know or reasonably should know was actually pending under your official responsibility within your last year of Government service.*** “Under your official responsibility” includes any direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government actions, assigned by statute, regulation, Executive Order, job description, or delegation of authority. For this provision, it is irrelevant whether you participated in the matter personally and substantially; the

key is whether the matter was pending under your official responsibility. Thus, this provision would apply both to matters assigned to you, but on which you took no action and matters assigned to your subordinates. **The Managed Care Support Contracts T3 and T2017 would be particular matters that were pending under your official responsibility. To the extent that particular matters involving specific parties were undertaken by DHA employees under your supervision or responsibility during your last year of Federal employment, which was October 1, 2018, through October 1, 2019, the two-year representational ban will apply to you. This bar will run on October 2, 2021.**

c. One-Year Cooling Off (18 U.S.C. § 207(c)): As a senior official you are subject to this cooling-off restriction. ***For a period of one year after service in your “senior” position terminates, you are prohibited from communicating with or appearing before, on behalf of another with the intent to influence, officers and employees of the Department of Defense and the U. S. Navy on any matter on which official action is sought.*** This one-year cooling-off period is designed to diminish any appearance that Government decisions may be affected by the influence of former senior officials. It is irrelevant for purposes of section 207(c) that you did not work on the matter in question while in Government service. Importantly, this restriction limits your appearances before and communications with personnel of the Office of the Secretary of Defense and a group of Defense agencies including the Joint Combat Commands. We refer to this grouping of entities as the Fourth Estate. You are not prohibited from communicating with or appearing before the Departments of the Army, Air Force, Defense Information Systems Agency, Defense Logistics Agency, Defense Intelligence Agency, Defense Threat Reduction Agency, National Geospatial-Intelligence Agency, National Security Agency, and the National Reconnaissance Office. Furthermore, this ban does not bar your communications with personnel of any non-DoD or non-Navy Federal agency. Furthermore, the cooling-off provision does not prohibit you from providing "behind the scenes" assistance to your new employer or other entity. In interpreting these restrictions, the Office of Government Ethics (OGE) advises that the prohibition against representational activities before your former agency includes written or oral communications aimed at influencing the Government, but does not prohibit you from giving assistance concerning such matters to your new employer. See 5 C.F.R. § 2637.201(b)(6). OGE also advises that these restrictions do not apply to an appearance or communication to request publicly available documents or purely factual information, or to provide such information. Furthermore, the one-year cooling-off restriction does not prohibit purely social contacts with your former colleagues or appearing before the Government representing yourself. **This bar will run on October 2, 2020.**

d. Foreign Entities (18 U.S.C. §207(f)): Because you are covered by §207(c), you are also prohibited, for a period of one year, from representing a foreign entity before any officer or employee of the United States; and from aiding or advising a foreign entity with the intent to influence a decision of any officer or employee of the United States. **This bar will run on October 2, 2020.**

Emoluments Clause to the Constitution

As to the Emoluments Clause to the Constitution, article I, section 9, clause 8, as interpreted in Comptroller General opinions and by the Department of Justice Office of Legal Counsel, the Emoluments Clause prohibits receipt of consulting fees, gifts, travel expenses, honoraria, or salary by all retired military personnel, officer and enlisted, Regular and Reserve, from a foreign government **unless Congressional consent is first obtained**. Consent is provided by Congress in 37 U.S.C. § 908, which requires advance approval from the relevant Service Secretary and the Secretary of State before accepting employment, consulting fees, gifts, travel expenses, honoraria or salary from a foreign government. If you are ever in a position where you would receive an emolument from a foreign government or from an entity that might be controlled by a foreign government, be sure and seek advance approval.

New Section 1045 of the NDAA for FY 2018

Additionally, you are subject to the "anti-lobbying" restriction in Section 1045 of the Fiscal Year 2018 National Defense Authorization Act ("Section 1045"). As a general officer in the grade of O-9, this law imposes **a two-year restriction** on engaging in lobbying activities with certain DoD officials or, with respect to DoD matters, to certain non-DoD Federal officials for two years after retiring from the Navy. This legislation may limit your ability to work in positions requiring communications with certain DoD officials, or other Federal officials regarding DoD matters, while under the restriction. **This ban differs from the criminal provisions discussed above in that it includes behind-the-scenes activity supporting lobbying contacts and applies across all DoD components during the applicable two-year cooling off period.** It also differs in that it applies only with respect to communications to or with "covered officials."³ **This restriction will run on October 2, 2021.**

"Lobbying Activities." Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive Orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). Technical communications required by the terms of an existing contract with DoD are included as "compelled communications" that are not prohibited. Although communications with covered officials that are required under an existing contract that a company may have with the DHA or with other branches and offices in DoD may not be prohibited by Section 1045, you must remember that during the first year after your retirement

³ Covered officials are: President; Vice President; any officer or employee in the Executive Office of the President; any officer or employee serving in a position in level I, II, III, IV or V of the Executive Schedule (PAS); any political appointee (non-career SES or Schedule C); & any member of the uniformed services whose rank is above O7.

from the Navy, the criminal statute discussed above, 18 U.S.C 207(c), will nonetheless prevent you from appearing before any personnel in the Navy or DHA or certain DoD agencies, including combatant commands, on any matter, including any existing contract.

For purposes of Section 1045, the term "communicates" includes "behind the scenes" assistance to an outside entity when such assistance is intended, at the time rendered, to be used to lobby covered Executive Branch officials. DoD has interpreted "behind the scenes" assistance in furtherance of prohibited "lobbying activities" under Section 1045 to include drafting an unsolicited proposed communication to a covered official in any Executive Branch agency on a DoD matter, advising on an appearance before DoD with the intent to influence, or consulting on other strategies intended to influence a covered Executive Branch official's official discretionary decision or action on a particular matter. Merely advising an outside entity on general marketing and business development strategies related to the entity's products or services, assisting an outside entity in drafting a DoD solicited Request for Proposal (RFP), or providing "behind the scenes" assistance on an existing contract or grant would not be the type of behind the scenes assistance prohibited under Section 1045.

Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective activities for Humana. Humana may be able to identify "lobbying contacts" because many firms must track and potentially report individual employees and expenses associated with those actions.

Restricted lobbying activities include engaging in oral, written, or electronic communications with regard to the formulation, modification, or adoption of Federal legislation, rules, regulations, Executive orders, or any other program, policy or position of the United States Government. Also covered are contacts about the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license; but not technical communications made pursuant to those Federal arrangements). These technical communications required by the terms of an existing contract with DoD are included as "compelled communications" but are not prohibited. Additionally, the definitions in the Lobbying Disclosure Act contain several exceptions which may be pertinent in allowing activities associated with your prospective activities for Humana, Inc.⁴ These include authorization for submitting bid proposals or information elicited pursuant to requests for information or proposals. Behind the scenes work that is intended to support these sorts of contacts would not appear to violate Section 1045. Similarly, any behind the scenes activity of a

⁴ The Lobbying Disclosure Act definitions (2 U.S.C. 1602) include several exceptions. For example:

The term "lobbying contact" **does not include** a communication that is--...

(v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;...

(viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;

(ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency, including any communication compelled by a Federal contract, grant, loan, permit, or license;

(x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

strategic nature or otherwise not directed at supporting a lobbying contact is not within the prohibition. Your prospective clients may be able to identify “lobbying contacts” because many firms must track and potentially report individual employees and expenses associated with those actions. *Given our office’s understanding of this recent provision, it does not appear that your anticipated board membership, already restricted by the one year “cooling off” period, would be materially limited by this potential narrowing of permissible behind the scenes work. The result of Section 1045’s removal of the ability to communicate with separate components of the Department is difficult to predict. In doing so it restricts you in the same manner as senior Presidentially Appointed, Senate-confirmed officials.*

Non-public Information

You are also cautioned that you remain bound not to disclose any non-public government information, which you may have obtained through your Federal employment. Nonpublic information includes classified information, source selection data, information protected by the Privacy Act, proprietary information, information protected by the Trade Secrets Act, and other information that has not been made available to the public and is exempt from disclosure.

Compliance

Please remember that you are responsible for ensuring compliance with the post-Government employment rules. If you have any doubts about the propriety of a particular course of action, you should obtain advice before acting to ensure that you do not unwittingly violate one of these statutes. Feel free to contact me at (b) (6) or by email at (b) (6) if you have further questions.

Sincerely,

(b) (6)

Alternate Deputy Designated Agency Ethics
Official
Associate General Counsel

Attachment 5

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
1	DHA Decision	Proposed 2023	Final Action 2022	On TMA No Govt Pay List? (Jan 23)	On TMA Bundled List?	CPT	Description	Y22 FINAL CMAC	Y22 Natl Prevailing	Y23 Nat Prev	No Svcs 7/20-6/21	No Svcs 7/21-6/22	Replaced Fee?	Use MEI (CPI for lab) due N<50?	Change in prevailing vs lastyr	Medicare Status (see ftnt)	Comments
2	PCMAC	PCMAC	PCMAC			0101T	EC shock wave, NOS, high energy	\$750.00	\$750.00	\$1,500.00	345	485			100.00%	C	Provisional Coverage (TPM C-13, S-1.1)
3	PCMAC	PCMAC	PCMAC	YES		0232T	Injection, platelet rich plasma	\$2,000.00	\$2,000.00	\$4,400.00	1,255	2,366			120.00%	C	Provisional Coverage (TPM C-13, S-1.1)
4	PCMAC	PCMAC	PCMAC			0402T	Collagen xlinking of cornea	\$8,500.00	\$8,500.00	\$9,000.00	440	458			5.88%	C	
5	Use 17280	PCMAC	N/A	YES		0479T	Fractional ablatv laser of burn/scars 100 cm2	n/a	n/a	\$3,666.00	0	56				C	Provisional Coverage (TPM C-13, S-1.1)
6	Use 17286	PCMAC	N/A	YES		0480T	Fractional ablatv laser of burn/scars ea add 100 cm2	n/a	n/a	\$367.00	0	389				C	Provisional Coverage (TPM C-13, S-1.1)
7	PCMAC	PCMAC	PCMAC			0504T	Noninv coronary FFR data revie I&R	\$480.00	\$480.00	\$514.28	67	92			7.14%	C	
8	PCMAC	PCMAC	PCMAC			15847	Lipectomy,abdomen	\$4,000.00	\$4,000.00	\$4,000.00	67	49			0.00%	C	
9	PCMAC	PCMAC	PCMAC			15877	Lipectomy,trunk	\$4,000.00	\$4,000.00	\$4,484.00	93	58			12.10%	R	
10	MEI UPDT	MEI UPDT	MEI UPDT		YES	20930	Allograft for spine surg	\$808.91	\$2,125.00	\$1,285.00	2	5		YES	-39.53%	B	
11	MEI UPDT	MEI UPDT	MEI UPDT		YES	20936	Autograft for spine surg	\$1,248.65	n/a	\$1,100.00	0	3		YES		B	
12	PCMAC	PCMAC	PCMAC			21088	Impression & prep, facial prosthesis	\$975.00	\$975.00	\$1,073.00	83	114			10.05%	C	
13	PCMAC	PCMAC	PCMAC			21743	Reconstructv repair (Nuss proc) w/thorascopy	\$11,875.00	\$11,875.00	\$9,685.00	74	81			-18.44%	C	
14	PCMAC	PCMAC	PCMAC			47143	Prep of cadaver liver donor	\$4,508.00	\$4,508.00	\$3,796.00	87	85			-15.79%	C	
15	MEI UPDT	MEI UPDT	MEI UPDT			50323	Backbench prep kidney cadaver donot	\$2,660.00	\$2,660.00	\$3,598.00	40	30			35.26%	C	
16	PCMAC	PCMAC	PCMAC			76140	Consult on Xray made elsewhere,report	\$236.00	\$236.00	\$260.00	1,081	1,089			10.17%	I	
17	PCMAC	PCMAC	PCMAC			76945	U/S guidance chorionic villius sampling, imaging S&I	\$534.00	\$534.00	\$528.00	87	69			-1.12%	C	
18	PCMAC	PCMAC	PCMAC			76998	Ultrasonic guidance, intraop	\$450.00	\$450.00	\$450.00	614	682			0.00%	C	
19	77065+G0279	77065+G0279	77065+G0279			77061	Dig breast tomosynthesis,unilat	\$184.10	\$300.00	\$346.88	4,067	4,785	\$177(est)		15.63%	I	
20	77066+G0279	77066+G0279	77066+G0279			77062	Dig breast tomosynthesis,bilat	\$194.14	\$300.00	\$350.00	6,723	7,371	\$209(est)		16.67%	I	
21	PCMAC	PCMAC	PCMAC			77385	IMRT, simple	\$3,828.27	\$3,828.27	\$4,000.00	828	678			4.49%	I	
22	PCMAC	PCMAC	PCMAC			77386	IMRT, complex	\$2,582.00	\$2,582.00	\$2,582.00	1,178	910			0.00%	I	
23	MEI UPDT	MEI UPDT	MEI UPDT			77520	Prton trmt, simple w/o compensation	\$3,836.00	\$3,836.00	N/A	2	0		YES		C	
24	PCMAC	PCMAC	PCMAC			77522	Prton trmt, simple w/compensation	\$4,700.00	\$4,700.00	\$4,700.00	842	1,049			0.00%	C	
25	PCMAC	PCMAC	PCMAC			77523	Proton trmt, intermed	\$5,622.00	\$5,622.00	\$5,622.00	2,514	2,211			0.00%	C	
26	PCMAC	PCMAC	PCMAC			77525	Proton trmt, complex	\$6,348.00	\$6,348.00	\$6,348.00	756	596			0.00%	C	
27	PCMAC	PCMAC	PCMAC			78434	AQMPPF,PET,rest and stress	\$650.00	\$650.00	\$450.00	166	362			-30.77%	C	
28	CPI UPDT	CPI UPDT	CPI UPDT	YES		80320	Definitive drug test-alcohols				0	0		YES		I	
29	CPI UPDT	CPI UPDT	CPI UPDT	YES		80321	Definitive drug test-alco biomarker				0	0		YES		I	
30	CPI UPDT	CPI UPDT	CPI UPDT	YES		80322	Definitive drug test-alco biomarker				0	0		YES		I	
31	CPI UPDT	CPI UPDT	CPI UPDT	YES		80323	Def drug test-alkaloids NOS				0	0		YES		I	
32	CPI UPDT	CPI UPDT	CPI UPDT	YES		80324	Def drug test-amphetamines 1-2				0	0		YES		I	
33	CPI UPDT	CPI UPDT	CPI UPDT	YES		80325	Def drug test-amphetamines 3-4				0	0		YES		I	
34	CPI UPDT	CPI UPDT	CPI UPDT	YES		80326	Def drug test-amphetamines 5+				0	0		YES		I	
35	CPI UPDT	CPI UPDT	CPI UPDT	YES		80327	Def drug test-anabolic steroid 1-2				0	0		YES		I	
36	CPI UPDT	CPI UPDT	CPI UPDT	YES		80329	Def drug test-anabolic steroid 3+				0	0		YES		I	
37	CPI UPDT	CPI UPDT	CPI UPDT	YES		80332	Def drug test-anagesics nonop 1-2				0	0		YES		I	
38	CPI UPDT	CPI UPDT	CPI UPDT	YES		80333	Def drug test-anagesics nonop 3-5				0	0		YES		I	
39	CPI UPDT	CPI UPDT	CPI UPDT	YES		80334	Def drug test-anagesics nonop 6+				0	0		YES		I	
40	CPI UPDT	CPI UPDT	CPI UPDT	YES		80335	Def drug test-antidepress,tricy 1-2				0	0		YES		I	
41	CPI UPDT	CPI UPDT	CPI UPDT	YES		80336	Def drug test-antidepress,tricy 3-5				0	0		YES		I	
42	CPI UPDT	CPI UPDT	CPI UPDT	YES		80337	Def drug test-antidepress,tricy 6+				0	0		YES		I	
43	CPI UPDT	CPI UPDT	CPI UPDT	YES		80338	Def drug test-antidepress NOS				0	0		YES		I	
44	CPI UPDT	CPI UPDT	CPI UPDT	YES		80339	Def drug test-antiepleptics NOS 1-3				0	0		YES		I	
45	CPI UPDT	CPI UPDT	CPI UPDT	YES		80342	Def drug test-antipsych NOS 1-3				0	0		YES		I	
46	CPI UPDT	CPI UPDT	CPI UPDT	YES		80343	Def drug test-antipsych NOS 4-6				0	0		YES		I	
47	CPI UPDT	CPI UPDT	CPI UPDT	YES		80344	Def drug test-antipsych NOS 7+				0	0		YES		I	
48	CPI UPDT	CPI UPDT	CPI UPDT	YES		80345	Def drug test-barbiturates				0	0		YES		I	
49	CPI UPDT	CPI UPDT	CPI UPDT	YES		80346	Def drug test-benzodiazepine 1-12				0	0		YES		I	
50	CPI UPDT	CPI UPDT	CPI UPDT	YES		80347	Def drug test-benzodiazepine 13+				0	0		YES		I	
51	CPI UPDT	CPI UPDT	CPI UPDT	YES		80348	Def drug test-buprenorphine				0	0		YES		I	
52	CPI UPDT	CPI UPDT	CPI UPDT	YES		80349	Def drug test-cannabinoids,nat				0	0		YES		I	
53	CPI UPDT	CPI UPDT	CPI UPDT	YES		80350	Def drug test-cannabinoids,syn 1-3				0	0		YES		I	
54	CPI UPDT	CPI UPDT	CPI UPDT	YES		80351	Def drug test-cannabinoids,syn 4-6				0	0		YES		I	
55	CPI UPDT	CPI UPDT	CPI UPDT	YES		80352	Def drug test-cannabinoids,syn 7+				0	0		YES		I	
56	CPI UPDT	CPI UPDT	CPI UPDT	YES		80354	Def drug test-fentanyl				0	0		YES		I	
57	CPI UPDT	CPI UPDT	CPI UPDT	YES		80355	Def drug test-gabapentin				0	0		YES		I	
58	CPI UPDT	CPI UPDT	CPI UPDT	YES		80356	Def drug test-heroin				0	0		YES		I	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
59	CPI UPDT	CPI UPDT	CPI UPDT	YES		80357	Def drug test-ketamine				0	0		YES		I	
60	CPI UPDT	CPI UPDT	CPI UPDT	YES		80359	Def drug test-MDA/MDEA/MDMA				0	0		YES		I	
61	CPI UPDT	CPI UPDT	CPI UPDT	YES		80360	Def drug test-methylphenidate				0	0		YES		I	
62	CPI UPDT	CPI UPDT	CPI UPDT	YES		80361	Def drug test-opiates 1+				0	0		YES		I	
63	CPI UPDT	CPI UPDT	CPI UPDT	YES		80362	Def drug test-opioids 1-2				0	0		YES		I	
64	CPI UPDT	CPI UPDT	CPI UPDT	YES		80363	Def drug test-opiods 3-4				0	0		YES		I	
65	CPI UPDT	CPI UPDT	CPI UPDT	YES		80364	Def drug test-opiods 5+				0	0		YES		I	
66	CPI UPDT	CPI UPDT	CPI UPDT	YES		80365	Def drug test-oxycodone				0	0		YES		I	
67	CPI UPDT	CPI UPDT	CPI UPDT	YES		80366	Def drug test-pregabalin				0	0		YES		I	
68	CPI UPDT	CPI UPDT	CPI UPDT	YES		80367	Def drug test-propoxyphene				0	0		YES		I	
69	CPI UPDT	CPI UPDT	CPI UPDT	YES		80368	Def drug test-sed hypnotics				0	0		YES		I	
70	CPI UPDT	CPI UPDT	CPI UPDT	YES		80369	Def drug test-skeletal musc relaxnt 1-2				0	0		YES		I	
71	CPI UPDT	CPI UPDT	CPI UPDT	YES		80370	Def drug test-skel musc rel 3+				0	0		YES		I	
72	CPI UPDT	CPI UPDT	CPI UPDT	YES		80371	Def drug test-stimulants,syn				0	0		YES		I	
73	CPI UPDT	CPI UPDT	CPI UPDT	YES		80372	Def drug test-tapentadol				0	0		YES		I	
74	CPI UPDT	CPI UPDT	CPI UPDT	YES		80373	Def drug test-tramadol				0	0		YES		I	
75	CPI UPDT	CPI UPDT	CPI UPDT	YES		80375	Def drug test-NOS 1-3				0	0		YES		I	
76	CPI UPDT	CPI UPDT	CPI UPDT	YES		80376	Def drug test-NOS 4-6				0	0		YES		I	
77	CPI UPDT	CPI UPDT	CPI UPDT	YES		80377	Def drug test-NOS 7+				0	0		YES		I	
78	CPI UPDT	CPI UPDT	CPI UPDT			86485	Skin test, candida	\$40.00	\$40.00	N/A	10	0		YES		C	
79	PCMAC	PCMAC	PCMAC			86870	RBC Ab ID, ea panel for ea serum	\$111.00	\$111.00	\$110.33	2,275	2,319			-0.60%	X	
80	PCMAC	PCMAC	PCMAC			86920	TX compatilbty test, ea unit, spin	\$200.00	\$200.00	\$215.00	393	440			7.50%	X	
81	PCMAC	PCMAC	PCMAC			86922	TX compatibility test, ea unit, antiglob	\$40.00	\$40.00	\$108.00	260	239			170.00%	X	
82	PCMAC	PCMAC	PCMAC			86923	TX compatibility test, ea unit, electron	\$43.68	\$43.68	\$95.00	772	749			117.49%	X	
83	PCMAC	PCMAC	PCMAC			86927	Plasma thawing, ea unit	\$18.00	\$18.00	\$103.00	19	16		YES	472.22%	X	
84	CPI UPDT	CPI UPDT	CPI UPDT			86945	Irradiation of blood, ea unit	\$23.10	\$23.10	\$82.00	26	4		YES	254.98%	X	
85	PCMAC	PCMAC	PCMAC			86960	Volume reductn of blood, ea unit	\$250.00	\$250.00	\$250.00	10	41		YES	0.00%	X	
86	CPI UPDT	CPI UPDT	CPI UPDT			86965	Pooling of platelets	\$15.00	\$15.00	\$13.00	7	6		YES	-13.33%	X	
87	CPI UPDT	CPI UPDT	CPI UPDT			86985	Splitting of blood, ea unit	\$28.70	\$28.70	\$22.50	37	51			-21.60%	X	
88	PCMAC	PCMAC	PCMAC			87426	COVID antigen test	\$120.00	\$120.00	\$131.00	464,058	665,330			9.17%	X	
89	PCMAC	PCMAC	PCMAC			87811	SARS2 COVID19 detection test	\$250.00	\$250.00	\$150.00	13,940	129,881			-40.00%	X	
90	CPI UPDT	CPI UPDT	CPI UPDT	YES		89259	Cryopreservation, sperm	\$420.00	\$420.00	\$500.00	15	10		YES	19.05%	X	
91	CPI UPDT	CPI UPDT	CPI UPDT	YES		89260	Sperm isolation, simple prep	\$360.00	\$360.00	N/A	2	0		YES		X	
92	CPI UPDT	CPI UPDT	CPI UPDT	YES		89261	Sperm isolation, complex prep	n/a	n/a	\$300.00	0	4		YES		X	
93	CPI UPDT	CPI UPDT	CPI UPDT	YES		89343	Sperm storage per year	\$720.00	\$720.00	\$800.00	10	8		YES	11.11%	X	
94	PCMAC	PCMAC	PCMAC			90867	TMS, initial	\$1,700.00	\$1,700.00	\$1,742.00	2,976	3,041			2.47%	C	
95	PCMAC	PCMAC	PCMAC			90868	TMS,subseq,per session	\$1,000.00	\$1,000.00	\$1,350.00	61,578	67,406			35.00%	C	
96	PCMAC	PCMAC	PCMAC			90869	TMS,subseq redetermination	\$1,900.00	\$1,900.00	\$2,300.00	2,782	3,667			21.05%	C	
97	MEI UPDT	MEI UPDT	MEI UPDT			90889	Prep of psych report	n/a	n/a	n/a	32	0		YES		B	
98	MEI UPDT	MEI UPDT	MEI UPDT			90940	Hemodialysis access flow study	\$547.30	\$547.30	\$547.30	3	1		YES	0.00%	X	
99	PCMAC	PCMAC	PCMAC			90989	Dialysis training, patient, completed course	\$1,250.00	\$1,250.00	\$1,250.00	93	56			0.00%	X	
100	NO CMAC	NO CMAC	NO CMAC			90993	Dialysis training, pat, course not completed, per session	\$7,195.00	\$7,195.00	\$7,483.00	408	498			4.00%	X	
101	MEI UPDT	MEI UPDT	MEI UPDT		YES	92532	Positional nystagmus test	n/a	n/a	n/a	0	0		YES		B	
102	PCMAC	PCMAC	PCMAC			92590	Hearing aid exam and selection, monoaural	\$258.00	\$258.00	\$300.00	94	94			16.28%	N	
103	PCMAC	PCMAC	PCMAC			92591	Hearing aid exam and selection, binaural	\$410.00	\$410.00	\$475.00	493	654			15.85%	N	
104	PCMAC	PCMAC	PCMAC			92592	Hearing aid check, monoaural	\$100.00	\$100.00	\$100.00	106	100			0.00%	N	
105	PCMAC	PCMAC	PCMAC			92593	Hearing aid check, binaural	\$200.00	\$200.00	\$200.00	311	409			0.00%	N	
106	MEI UPDT	MEI UPDT	MEI UPDT			92594	Electroacoustic eval for hearing aid,monaural	\$250.00	\$250.00	\$250.00	38	41		YES	0.00%	N	
107	PCMAC	PCMAC	PCMAC			92595	Electroacoustic eval for hearing aid,binaural	\$450.00	\$450.00	\$500.00	134	178			11.11%	N	
108	PCMAC	PCMAC	PCMAC			92630	Auditory rehab, prelingual hearing loss	\$300.00	\$300.00	\$300.00	2,380	2,404			0.00%	I	
109	PCMAC	PCMAC	PCMAC			92633	Auditory rehab, postlingual hearing loss	\$140.00	\$140.00	\$140.00	134	181			0.00%	I	
110	PCMAC	PCMAC	PCMAC			93241	EEG, contin, 49 hrs-7 days, global	\$900.00	\$900.00	\$950.00	408	805			5.56%	C	
111	Use 93241	Use 93241	Use 93241			93243	EEG,contin,49 hrs-7 days,anal & report	\$900.00	\$3,500.00	\$3,500.00	3,087	10,972			0.00%	C	
112	PCMAC	PCMAC	PCMAC			93245	EEG,contin,8-15 days,global	\$325.00	\$325.00	\$350.00	340	964			7.69%	C	
113	Use 93245	Use 93245	Use 93245			93247	EEG,contin,8-15 days,anal & report	\$325.00	\$995.00	\$1,095.00	4,108	12,493			10.05%	C	
114	PCMAC	PCMAC	PCMAC			94642	Aerosol inhalation of pentamidine	\$265.00	\$265.00	\$265.00	47	75			0.00%	C	
115	MEI UPDT	MEI UPDT	MEI UPDT			94772	Circadian respir pattern rec, infant 12-24 hr	\$213.00	\$213.00	N/A	9	0		YES		C	
116	PCMAC	PCMAC	PCMAC			94777	Ped home apnea monitorg, report only	\$395.00	\$395.00	\$430.00	66	34			8.86%	C	
117	PCMAC	PCMAC	PCMAC			95120	Immunotherapy, one injection	\$54.00	\$54.00	\$55.00	244	187			1.85%	I	
118	PCMAC	PCMAC	PCMAC			95125	Immunotherapy, many antigens	\$100.00	\$100.00	\$100.00	1,268	1,121			0.00%	I	
119	PCMAC	PCMAC	PCMAC			95130	Immunotherapy, 1 insect venom	\$80.00	\$80.00	\$80.00	233	177			0.00%	I	
120	MEI UPDT	MEI UPDT	use 95132			95131	Immunotherapy, 2 insect venoms	\$90.00	\$119.00	\$119.00	27	47		YES	0.00%	I	
121	MEI UPDT	MEI UPDT	PCMAC			95132	Immunotherapy, 3 insect venoms	\$90.00	\$90.00	\$106.00	58	30		YES	17.78%	I	
122	PCMAC	PCMAC	PCMAC			95133	Immunotherapy, 4 insect venoms	\$170.00	\$177.00	\$185.00	119	68			4.52%	I	CMAC should have been \$177 last year, not 170

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
123	MEI UPDT	MEI UPDT	MEI UPDT			95134	Immunotherapy, 5 insect venoms	\$265.04	\$170.00	\$225.00	35	9		YES	32.35%	I	
124	PCMAC	PCMAC	PCMAC			95700	EEG rec,setup,educ,min 8 channels	\$1,250.00	\$1,250.00	\$1,250.00	2,147	2,123			0.00%	C	
125	PCMAC	PCMAC	PCMAC			95706	EEG w/o video,data rev,2-12 hrs intermit mon	\$700.00	\$700.00	\$700.00	105	148			0.00%	C	
126	PCMAC	PCMAC	PCMAC			95708	EEG w/o video,data rev,12-26 hrs, unmon	\$1,214.00	\$1,214.00	\$1,250.00	819	755			2.97%	C	
127	PCMAC	PCMAC	PCMAC			95709	EEG w/o video,data rev,12-26 hrs,intermit mon	\$2,400.00	\$2,400.00	\$2,400.00	86	138			0.00%	C	
128	PCMAC	PCMAC	NO CMAC			95712	VEEG,data rev,2-12 hrs,intermit mon and maint	\$3,000.00	\$3,000.00	\$4,000.00	90	147			33.33%	C	
129	PCMAC	PCMAC	PCMAC			95713	VEEG,data rev,2-12 hrs,contin mon and maint	\$3,400.00	\$3,400.00	\$1,920.95	216	195			-43.50%	C	
130	PCMAC	PCMAC	PCMAC			95714	VEEG,data rev,12-26 hrs,unmon	\$2,400.00	\$2,400.00	\$2,400.00	620	444			0.00%	C	
131	PCMAC	PCMAC	PCMAC			95715	VEEG,data rev,12-26 hrs,intermit mon and maint	\$6,750.00	\$6,750.00	\$6,000.00	2,048	2,243			-11.11%	C	
132	PCMAC	PCMAC	PCMAC			95716	VEEG,data rev,12-26 hrs,contin mon and maint	\$6,019.68	\$6,019.68	\$6,000.00	1,058	958			-0.33%	C	
133	4*95940	4*95940	4*95940			95941	Contin intrap neurophys monitoring,per hr	\$131.50	\$2,452.00	\$2,600.00	10,616	8,593	\$126(est)		6.04%	I	
134	PCMAC	PCMAC	PCMAC			95943	Autonomic function test	\$485.00	\$485.00	\$500.00	837	440			3.09%	C	
135	MEI UPDT	MEI UPDT	MEI UPDT	YES		97545	Work hardening/cond, init 2 hrs	\$268.57	n/a	n/a	0	0		YES		R	
136	MEI UPDT	MEI UPDT	MEI UPDT	YES		97546	Work hardening/cond, ea addtnl hr	\$134.29	n/a	n/a	0	0		YES		R	
137	MEI UPDT	MEI UPDT	MEI UPDT		YES	97602	Removal of devitalized tissue fr wound/session	\$94.33	n/a	n/a	0	0		YES		B	
138	MEI UPDT	MEI UPDT	MEI UPDT		YES	99024	Post-op follow-up visit	\$108.58	\$106.75	\$106.75	9	6		YES	0.00%	B	
139	MEI UPDT	MEI UPDT	MEI UPDT		YES	99050	Svcs in office outside regular hours	\$89.38	\$100.00	\$75.00	7	15		YES	-25.00%	B	
140	PCMAC	PCMAC	PCMAC		YES	99051	Svcs in office (reg hrs) in add to basic svcs	\$57.00	\$57.00	\$57.00	106	301			0.00%	B	
141	PCMAC	PCMAC	PCMAC		YES	99053	Svcs between 10pm-8am in 24 hr facility	\$115.00	\$115.00	\$111.39	101	184			-3.14%	B	
142	NO CMAC	NO CMAC	NO CMAC		YES	99056	Svcs outside office at patient request	n/a	n/a	n/a	0	0			#VALUE!	B	
143	MEI UPDT	MEI UPDT	MEI UPDT		YES	99058	Emergency svcs in office that are disruptive	\$205.31	\$50.00	\$50.00	2	6		YES	0.00%	B	
144	NO CMAC	NO CMAC	NO CMAC		YES	99078	Educ svcs in group setting	n/a	\$200.00	\$200.00	1	6		YES	0.00%	B	
145	MEI UPDT	MEI UPDT	MEI UPDT			99080	Special reports	\$204.20	\$35.00	\$62.00	12	15		YES	77.14%	B	
146	PCMAC	PCMAC	PCMAC			99172	Visual func screening, bilat	\$124.00	\$124.00	\$50.00	227	69			-59.68%	N	
147	MEI UPDT	MEI UPDT	MEI UPDT		YES	99288	Professional direction of emerg med sys	\$418.39	n/a	n/a	0	0		YES		B	
148	NO CMAC	NO CMAC	NO CMAC			99456	Work relatd/disab exam by nontreating physicn	n/a	n/a	\$1,800.00	0	2				R	
149	Use 99350	?	PCMAC			99501	Home visit for postnatal assessmt & FU care	\$500.00	\$500.00	\$1,000.00	69	108			100.00%	I	Prev ncreasing unreasonably; consider setting to 99350 (about \$190) or MEI
150	PCMAC	PCMAC	PCMAC			99502	Home visit for newborn care/assessmt	\$300.00	\$300.00	\$300.00	149	136			0.00%	I	
151	PCMAC	PCMAC	PCMAC			99503	Home visit for respir therapy care	\$258.82	\$220.00	\$220.00	126	215			0.00%	I	Use class 3 data due volume
152	MEI UPDT	MEI UPDT	MEI UPDT			99505	Home visit for stoma care	\$135.02	\$330.00	\$323.48	2	3		YES	-1.98%	I	
153	PCMAC	PCMAC	PCMAC			99506	Home visit for intramusc injections	\$176.47	\$150.00	\$150.00	224	485			0.00%	I	Use class 3 data due volume
154	MEI UPDT	MEI UPDT	MEI UPDT			99507	Home visit for cath care	\$135.02	n/a	n/a	0	3		YES		I	
155	MEI UPDT	MEI UPDT	MEI UPDT			99511	Home visit for fecal impact/enema admin	\$101.27	n/a	n/a	0	0		YES		I	
156	PCMAC	PCMAC	PCMAC			99601	Home infusion/drug admin, per visit (<= 2 hr)	\$392.31	\$392.31	\$420.00	25,649	26,640			7.06%	I	
157	PCMAC	PCMAC	PCMAC			99602	Home infusion/drug admin visit, ea add hr	\$250.00	\$250.00	\$250.00	22,311	23,971			0.00%	I	
158	PCMAC	PCMAC	PCMAC			G0151	Home PT, 15 min	\$124.08	\$124.08	\$130.00	19,462	18,147			4.77%	X	
159	PCMAC	PCMAC	PCMAC			G0152	Home OT, 15 min	\$110.00	\$110.00	\$125.00	18,279	19,779			13.64%	X	
160	PCMAC	PCMAC	PCMAC			G0153	Home speech therapy, 15 min	\$180.00	\$180.00	\$180.00	18,423	16,829			0.00%	X	
161	Use G0151	Use G0151	Use G0151			G0155	Home LCSW, 15 min	\$124.08	\$120.00	\$0.05	17	24	\$130.00		-99.96%	X	
162	Use S9122	Use S9122	Use S9122			G0156	Home health aide, 15 min	\$39.76	\$30.21	\$54.33	1,053	3	\$39.76		79.84%	X	
163	Use G0151	Use G0151	Use G0151			G0157	Home PT asst, 15 min	\$124.08	n/a	n/a	0	0	\$130.00			E	
164	Use G0152	Use G0152	Use G0152			G0158	Home OT asst, 15 min	\$110.00	n/a	n/a	0	0	\$125.00			E	
165	Use G0153	Use G0153	Use G0153			G0161	Home speech ther, maint, 15 min	\$180.00	\$250.00	\$250.00	36	18	\$180.00		0.00%	E	
166	NO CMAC	NO CMAC	NO CMAC			G0176	Traing/educ for disablg MH probs/session	n/a	\$140.00	\$140.00	69	26			0.00%	X	
167	NO CMAC	NO CMAC	NO CMAC			G0177	Traing/educ for disablg MH probs/session	n/a	\$170.00	\$400.00	5	21			135.29%	X	
168	MEI UPDT	MEI UPDT	MEI UPDT			G0260	Injection prov sacroiliac, incl agent	\$2,637.41	\$809.00	\$2,075.00	24	36		YES	156.49%	E	
169	MEI UPDT	MEI UPDT	MEI UPDT		YES	G0269	Placement of occlusive device in vein	\$567.20	n/a	n/a	0	0		YES		B	
170	PCMAC	PCMAC	PCMAC			G0282	Elec stim, unattended, for wounds not G0281	\$61.21	\$61.21	\$75.00	201	141			22.53%	N	
171	PCMAC	PCMAC	PCMAC			G0299	Home RN, 15 min	\$74.96	\$74.96	\$100.00	3,691	1,205			33.40%	X	Use class 3 data due def.
172	PCMAC	PCMAC	PCMAC			G0300	Home LPN, 15 min	\$74.00	\$74.00	\$73.51	27,113	13,570			-0.66%	X	Use class 3 data due def.
173	PCMAC	PCMAC	PCMAC			G0340	Robotic linear accel sterotactic radiosg/sessn	\$11,460.00	\$11,460.00	\$15,000.00	83	82			30.89%	C	
174	MEI UPDT	MEI UPDT	MEI UPDT			G0398	Home sleep test with monitor,min 7 channels	\$600.00	\$600.00	\$1,000.00	19	70		YES	66.67%	C	
175	PCMAC	PCMAC	PCMAC			G0399	Home sleep test with monitor,min 4 channels	\$1,040.11	\$1,040.11	\$1,040.11	4,120	5,680			0.00%	C	
176	NO CMAC	NO CMAC	NO CMAC			G0463	Hospital clinic visit for assessmt/mgt of pat	\$231.33	\$231.33	\$274.00	200	626			18.45%	X	
177	NO CMAC	NO CMAC	NO CMAC			G0467	FQHC visit, estab pat	\$209.25	\$209.25	\$205.00	319	256			-2.03%	X	
178	NO CMAC	NO CMAC	NO CMAC			G0468	FQHC visit, preventv/wellness visit	\$270.00	\$270.00	\$277.00	342	414			2.59%	X	
179	NO CMAC	NO CMAC	NO CMAC			G0470	FQHC visit, MH estab pat	\$185.00	\$185.00	\$585.00	14	32			216.22%	X	
180	NO CMAC	NO CMAC	NO CMAC			G0491	Dialysis for acute kidney injury w/o ESRD	\$7,629.42	\$7,629.42	\$7,629.42	720	591			0.00%	X	
181	PCMAC	PCMAC	PCMAC			G0498	Chemo admin and pump w/FU visit	\$915.00	\$915.00	\$993.00	802	909			8.52%	C	
182	PCMAC	PCMAC	PCMAC			G2066	Interrog device eval,remote,<= 30 days	\$220.00	\$220.00	\$280.00	11,358	13,821			27.27%	C	
183	PCMAC	PCMAC	PCMAC			G6017	Rad therapy 3D tracking, ea treatmt fractn	\$667.00	\$667.00	\$483.04	2,430	2,633			-27.58%	C	
184	NO CMAC	NO CMAC	NO CMAC			H0001	Alcohol/drug assessment	\$3,900.00	\$3,900.00	\$3,900.00	180	136			0.00%	I	
185	PCMAC	PCMAC	PCMAC			H0004	Behav Hlth counseling, 15 min	\$48.00	\$48.00	\$48.00	99	313			0.00%	I	
186	PCMAC	PCMAC	PCMAC			H0005	Alcohol/drug group counseling	\$127.62	\$125.00	\$127.62	218	308			2.10%	I	

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q
187	NO CMAC	NO CMAC	NO CMAC			H0031	MH assessment by nonphysician	\$75.00	\$75.00	\$125.00	893	187			66.67%	I	
188	PCMAC	PCMAC	PCMAC			H0033	Oral medication admin	\$95.35	\$95.35	\$95.35	254	264			0.00%	I	
189	PCMAC	PCMAC	PCMAC			H0049	Alcohol/drug screening	\$15.00	\$15.00	\$15.00	1,307	117			0.00%	I	
190	Use 96156	Use 96156	Use 96156			H1000	Prenatal at-risk assessment	\$125.00	\$125.00	\$125.00	254	0	\$95(est)		0.00%	I	
191	NO CMAC	NO CMAC	NO CMAC			H1003	Prenatal care, at-risk, education	\$150.00	\$150.00	\$150.00	13	26			0.00%	I	
192	PCMAC	PCMAC	PCMAC			H2011	Crisis intervention, 15 min	\$55.00	\$55.00	\$90.00	240	92			63.64%	I	
193	PCMAC	PCMAC	PCMAC			H2012	Behavioral health day treatment, per hr	\$97.00	\$97.00	\$67.50	5,221	3,707			-30.41%	I	
194	PCMAC	PCMAC	PCMAC			H2019	Therapeutic Beh Svc, 15 min	\$34.00	\$34.00	\$46.50	4,415	1,635			36.76%	I	
195	PCMAC	PCMAC	PCMAC			H2020	Therapeutic Beh Svc, per day	\$235.29	\$200.00	\$155.00	147	7	\$214.89		-22.50%	I	Use class 3 data (182.66 prev,N=280) due most claims
196	NO CMAC	NO CMAC	NO CMAC			H2035	Alc/drug treatment program per hr	n/a	n/a	n/a	0	0				I	
197	CPI UPDT	CPI UPDT	CPI UPDT			P7001	Culture, bacterial, urine (lab test)	\$20.00	\$20.00	\$40.00	2	1		YES	100.00%	I	
198	PCMAC	PCMAC	PCMAC			Q0081	Infusion therapy, nonchemo, per visit	\$309.00	\$309.00	\$374.00	71	202			21.04%	E	
199	PCMAC	PCMAC	PCMAC			Q0084	Chemo admin by infusn, per visit	\$200.00	\$200.00	\$200.00	161	144			0.00%	E	
200	MEI UPDT	MEI UPDT	MEI UPDT			Q5001	Hospice care in home	\$205.72	\$210.00	\$170.00	4	1	\$200		-19.05%	E	Use class 3 data (170 prev, N=125) due most claims
201	MEI UPDT	MEI UPDT	MEI UPDT	YES		S0620	Routine ophthalmol visit w/refraction,new pat	\$128.65	n/a	n/a	0	0		YES		I	
202	MEI UPDT	MEI UPDT	MEI UPDT	YES		S2068	Breast reconstruction	\$65,146.81	\$115,000.00	\$115,000.00	5	2		YES	0.00%	I	
203	PCMAC	PCMAC	PCMAC			S2083	Gastric band adjustment	\$1,100.00	\$1,100.00	\$1,100.00	741	510			0.00%	I	
204	NO CMAC	NO CMAC	NO CMAC			S2900	Surg techniques,robotic,add-on	n/a	\$552.00	\$5,286.00	5	4			857.61%	I	
205	PCMAC	PCMAC	PCMAC			S3620	PKU lab test for newborn	\$140.00	\$140.00	\$140.00	2,662	2,840			0.00%	I	
206	MEI UPDT	MEI UPDT	MEI UPDT	YES		S8110	Peak expiratory flow rate, physician svc	\$62.12	n/a	n/a	0	0		YES		I	
207	MEI UPDT	MEI UPDT	PCMAC			S8940	Equestrian/hippotherapy, per session	\$137.83	n/a	n/a	0	0		YES		I	
208	MEI UPDT	MEI UPDT	MEI UPDT	YES		S8948	Applic of modality,low level laser, ea 15 min	\$33.56	n/a	n/a	0	0		YES		I	
209	NO CMAC	NO CMAC	NO CMAC	YES		S9088	Urgent Care Center services	n/a	\$88.00	\$100.00	2	3			13.64%	I	
210	PCMAC	PCMAC	PCMAC			S9122	Home health aide, per hour	\$39.76	\$39.76	\$39.76	29,651	16,949			0.00%	I	
211	PCMAC	PCMAC	PCMAC			S9123	RN in home, per hour	\$160.07	\$160.67	\$162.74	170,230	167,874			1.29%	I	
212	PCMAC	PCMAC	PCMAC			S9124	LPN in home, per hour	\$133.67	\$133.67	\$142.18	541,734	553,184			6.37%	I	
213	NO CMAC	NO CMAC	NO CMAC	YES		S9470	Nutrition counseling/dietician visit	n/a	n/a	n/a	0	0				I	
214	MEI UPDT	MEI UPDT	MEI UPDT			S9900	Christian Sci. practitioner, per diem	\$187.39	n/a	n/a	0	0		YES		I	
215	PCMAC	PCMAC	PCMAC			V5008	Hearing screening	\$120.00	\$120.00	\$120.00	603	627			0.00%	N	
216	PCMAC	PCMAC	PCMAC			V5010	Assessment for hearing aid	\$400.00	\$400.00	\$400.00	782	1,053			0.00%	N	
217	PCMAC	PCMAC	PCMAC			V5011	Fitting/checking of hearing aid	\$500.00	\$500.00	\$550.00	1,473	1,635			10.00%	N	
218	PCMAC	PCMAC	PCMAC			V5014	Repair/modif of hearing aid	\$160.00	\$160.00	\$200.00	442	557			25.00%	N	
219	PCMAC	PCMAC	PCMAC			V5020	Conformity evaluation	\$400.00	\$400.00	\$400.00	1,054	1,183			0.00%	P	
220	NO CMAC	NO CMAC	NO CMAC			V5160	Dispensing fee, hearing aid, binaural	n/a	\$4,800.00	\$1,650.00	57	1,275			-65.63%	X	
221	NO CMAC	NO CMAC	NO CMAC			V5241	Dispensing fee, hearing aid, monoaural	n/a	\$875.00	\$600.00	171	170			-31.43%	X	

Attachment 6

Total Recoupments Initiated

2019	\$ 13,704,433
2020	\$ 5,753,066
2021	\$ 4,155,004
2022	\$ 1,498,878
2023	\$ 20,723,483

Report Key:

Case Name	Name of Subject
Completion Date	Date Case was Closed by DHA
Recoupment Amount	Amount of Recommended Recoupment - Contractor responsible for initiating and tracking

2019

Case Name	Completion Date	Recoupment Amount
CASTLE AIR AMBULANCE	01/02/19	\$89,562
MEDICAL CENTER OF NORTH BROWARD/DR. OUW/DR. HARMAN	01/08/19	\$242,980
JET RESCUE	01/14/19	\$143,826
EMPOWERMENT COUNSELING SERVICES, INC	01/15/19	\$10,869
PESECHKIAN, NAWID MD	01/16/19	\$135,486
MATRIX HEALTH	01/22/19	\$2,862,310
LEJAWA,ROBERT,DO	01/23/19	\$7,083
LITTLEFIELD PHYSICAL THERAPY	01/24/19	\$6,682
NACMED	01/31/19	\$7,383
THE PHYSICAL THERAPY CENTER	01/31/19	\$5,761
MHM GROUP LLC	02/14/19	\$57,505
DENNIS,JUDY,SLP	02/25/19	\$46,554
CHAMPION MEDICAL SUPPLIES	03/08/19	\$617
TAN, JEANETTE S., MD	03/19/19	\$109,105
ELLIOT AND ASSOCIATES COUNSELING SERVICES	03/20/19	\$92
REYNOLDS,GLENN,A.	03/21/19	\$124,992
EMERALD COAST SPEECH THERAPY	03/25/19	\$4,808
PETERS, JENNIFER	04/08/19	\$43,554
CARVAJALS PHARMACY (BIORX)	04/09/19	\$1,936
CORTICA BEHAVIORAL HEALTH, INC	04/15/19	\$65,207
COMMONWEALTH HEALTH CORP.	04/26/19	\$1,147
AGILUS HEALTH	04/30/19	\$3,926
ELITE MEDICAL TRANSPORT	05/01/19	\$28,927
PROACTIVE PHYSICAL THERAPY	05/01/19	\$7,314
MVZ WESTPFALZ	05/01/19	\$11,875
CHILDREN'S HOSPITAL OF ORANGE COUNTY	05/01/19	\$25,620
PEDIATRICS PLUS, INC	05/02/19	\$4,411
HOLLINS, RONALD J, MD	05/03/19	\$45,000
LASER SPINE INSTITUTE	05/22/19	\$42,139
LASER SPINE SURGERY CENTER	05/22/19	\$1,032,879
ADDIE'S AUTISM FITT CLUB	06/03/19	\$11,895
EMERALD COAST AUTISM CENTER	06/07/19	\$17,705
INFINITE GRACE AUTISM ACADEMY	06/10/19	\$36,331
TODOROFF, LAURA, DO / JOINT MEDICAL	06/25/19	\$12,637
TRUMPHET BEHAVIORAL HEALTH	06/27/19	\$616,312
DANIELS, TROY, LMFT	07/01/19	\$4,360
GREENWOOD PHYSICAL THERAPY AND ACUPUNCTURE, INC.	07/01/19	\$9,955
PHYSICAL THERAPY SOLUTIONS, PC	07/02/19	\$3,907
CHESAPEAKE REHAB EQUIPMENT, INC.	07/02/19	\$7,969
DIXIE INFUSION PHARMACY LLC	07/02/19	\$31,531
INTOUCH PHARMACY, LLC	07/02/19	\$2,434,336
NATIONAL SEATING AND MOBILITY	07/02/19	\$19,768
UNITED SEATING AND MOBILITY, LLC	07/02/19	\$7,366
AUTISM LEARNING PARTNERS	07/09/19	\$5,387
FOX VALLEY AUTISM TREATMENT PRO	07/19/19	\$43,888
CARE PHYSICAL THERAPY	07/24/19	\$14,092
MENTORING AND BEHAVIOR SERVICES	07/24/19	\$57,346
THERAPIES 4 KIDS INC	07/30/19	\$8,319

SHAPING CHANGE, LLC	08/01/19	\$117,219
BABB, JOHN - BENEFICIARY	08/02/19	\$135,116
RSA TUMON LLC	08/05/19	\$252,086
PREMIER COMPOUNDING PHARMACY	08/12/19	\$294,863
PATHOLOGY CONSULTANT OF GEORGIA	08/13/19	\$61,981
HNO PRAXIS BETHGE AND FORESTER	08/13/19	\$493,870
*RMHOLD*128* RITE AID #06769	08/15/19	\$38,293
UNIVERSITY OF KANSAS CANCER CENTER PHARMACY	08/15/19	\$25,038
ALORIA HEALTH OF MILWAUKEE	08/15/19	\$10,432
HEIDER,TIMOTHY,MD	08/16/19	\$184,655
DAVIS, BETSY, DMD	08/16/19	\$13,570
GRANDHIGE, GOPAL MD	08/16/19	\$64,704
SCHNICK, TRINITY AND TALIA	08/26/19	\$1,472
AUTISM ACADEMY OF SOUTH CAROLINA	08/28/19	\$24,736
WHITE COUNTY MEDICAL UNITY HEALTH WCMC	09/04/19	\$583
ACADEMY ABA	09/26/19	\$775
GULF COAST PAIN INSTITUTE	10/21/19	\$7,981
AUTISM DEVELOPMENTAL INTERVENTION	11/06/19	\$11,046
CHILDREN'S HOSPITAL OF ORANGE COUNTY	11/06/19	\$3,609
CURLING, FRANK	11/06/19	\$32,991
BRIOVARX INFUSION SERVICES	11/06/19	\$25,981
SOLEO HEALTH	11/07/19	\$105,095
ARDMORE FAMILY MEDICAL CLINIC	11/08/19	\$30,659
YORK ALLERGY AND ASTHMA	11/12/19	\$34,878
GILLARD, JOHNATHON A. AND SALENA W.	11/12/19	\$22,087
FANOUS, MICHAEL M., DPM	11/13/19	\$351,391
NELSON,MD,PAULA	11/13/19	\$9,565
ATLAS PHYSICAL THERAPY	11/14/19	\$5,557
SAMSUNG MEDICAL CENTER	11/19/19	\$816,518
TENNESSEE VALLEY PAIN CONSULTANTS	11/20/19	\$7,577
MUZZALL, ANDRIAN - BENEFICIARY	11/20/19	\$155,951
SOUTHEAST ALABAMA AUTISM CENTER	11/21/19	\$357,219
THE PAIN MANAGEMENT GROUP	11/21/19	\$16,833
PACIFIC LABS	11/22/19	\$42,526
MEDINA, MARIA PHD	12/02/19	\$5,818
REHAB FOR ALL, LLC	12/03/19	\$12,891
SPECTRUM HOUSE	12/05/19	\$101,562
AZMO PHARMACY COMPOUNDING	12/16/19	\$929,571
HERITAGE COMPOUNDING PHARMACY	12/18/19	\$385,080
		\$13,704,433

2020

Case Name	Completion Date	Recoupment Amount
ACCESS ENDOCRINE, DIABETES AND THYROID CENTER PC	01/06/20	\$3,018
HOSPICE	01/06/20	\$95,443
LIBERTY FOR ALL PHARMACY	01/15/20	\$364,772
H&H INTEGRATIVE PHARMACY	01/15/20	\$95,732
BROWN,COURTNEY,DARREN	01/16/20	\$20,265
SINGH, SUDEEP MD	01/16/20	\$46,468
ALAMO PAIN CENTER	01/22/20	\$29,493
SUN LAKE PHARMACY	01/24/20	\$297,355
LIGMAN, SHEENA	01/24/20	\$213,768
CONCENTRA INC	01/30/20	\$1,708
SOUTHEASTERN PHYSICAL THERAPY	01/30/20	\$4,580
PROGRESSIVE PHYSICAL THERAPY	02/05/20	\$5,500
BACK IN ACTION THERAPY LLC.	02/07/20	\$17,743
SPECTRA CLINICAL LAB	03/16/20	\$60,696
RIEDL, TOBIAS DR	03/16/20	\$38,493
INELIGIBLE BENEFICIARIES - HANS, REGINALD	03/18/20	\$189,311
MDRS THERAPY, INC., D/B/A SAN DIEGO SPINE AND SPORT	03/18/20	\$4,174
PHUSION PHARMACY	04/09/20	\$282,645
BETHI,VIDYA R,,MD	04/13/20	\$17,950
SCHWAB, JOSEPH, MD	06/01/20	\$6,000
CHESAPEAKE REHAB EQUIPMENT INC	06/01/20	\$7,969
DIXIE INFUSION PHARMACY LLC	06/01/20	\$31,531
INTOUCH PHARMACY LLC	06/01/20	\$24,343
NATIONAL SEATING AND MOBILITY	06/01/20	\$19,768
UNITED SEATING AND MOBILITY LLC	06/01/20	\$7,366
ALPINE AUTISM CENTER	06/18/20	\$34,931
MILLER,ERIC,J,MD,PA/CENTRAL TEXAS PAIN CENTER/ CARPENTIER	06/18/20	\$31,526
THE OLIVE BRANCH LLC	06/23/20	\$40,209
OLGA RODGERS, MS CCC-SLP	06/23/20	\$3,285
AMOLS, MARK MD	06/24/20	\$225,961
*RMHOLD*108* COMPREHENSIVE PAIN SPECIALISTS	06/24/20	\$12,821
PHYSICIAN PAIN CARE ASSOCIATES	06/24/20	\$730,583
CLAUDE VALENTI OD	06/24/20	\$13,568
PEDIATRIC THERAPY PARTNERS	07/13/20	\$21,350
*RMHOLD*118* PREMIER MEDICAL	07/21/20	\$10,420
GALLIA, GARY MD	08/14/20	\$96,745
THE ANCHOR CLINIC	08/18/20	\$6,325
MILLS, KIERSTEN RIANE PA-C - OPIOID PROJECT	08/28/20	\$9,204
MARSIGLIA, CHERYL, PHD	09/10/20	\$10,285
AGGARWAL, VED MD DBA TEXAS PAIN INSTITUTE	09/16/20	\$12,496
COMPASS BEHAVIORAL & DEVELOPMENTAL CONSULTANTS (CBDC)	09/21/20	\$14,279
AMERICAN CLINICAL SOLUTIONS	09/25/20	\$19,188
ROHATGI, ROSEMARIE	10/14/20	\$194,748
ROHATGI, ROSEMARIE DDM	10/14/20	\$142,923
LOFTIS VANDERBILT INTEGRATED	10/21/20	\$1,956
SPECIALTY CARE PHARMACY	11/02/20	\$2,186,987
THE KEY CENTER	11/04/20	\$5,604
SHAIK, IMTIAZUDDIN MD	11/12/20	\$28,000
THRIVEWORKS COUNSELING	12/11/20	\$4,927
LUNDQUIST, ERIK MD	12/30/20	\$8,651
		\$5,753,066

2021

Case Name	Completion Date	Recoupment Amount
EDWARDS, JAMES HENRY MD - GULF SHORES	01/25/21	\$100
ASSOCIATED PHYSICIANS GROUP HEALTH	02/03/21	\$5,559
LIVWELL PHARMACY	02/11/21	\$37,843
ALTIUS INSTITUTE FOR BIOMEDICAL SCIENCES	02/26/21	\$404
BEHAVIORAL HEALTH WORKS, INC	03/11/21	\$12,951
AEGIS SCIENCES CORPORATION	03/11/21	\$9,039
WEISS AND NEWBERRY MEDICAL ASSOCIATES	03/16/21	\$226,057
OPTIGEN, INC. .	03/17/21	\$401,047
INNOVATIVE PHYSICAL THERAPY	03/18/21	\$1,079
GLASSON SPORTS MEDICINE	03/26/21	\$5,392
LONE STAR NEUROLOGY	05/14/21	\$663,661
TRIDENT PAIN CENTER, LLC	05/14/21	\$9,620
CASTLE MEDICAL, LLC.	05/14/21	\$22,786
BRIER CREEK INTEGRATED PAIN & SPINE	05/14/21	\$8,590
BEHAVIOR KEYS	05/18/21	\$41,311
TLC KID'S THERAPY	06/07/21	\$3,259
CARRANZA, ORIEL MCCLEAN, MD	06/07/21	\$89,165
WADE, EUGENE MD	06/07/21	\$157,176
TRI-ESSENCE CARE PLLC	06/11/21	\$68,398
POSITIVE BEHAVIOR SUPPORTS CORP	06/22/21	\$10,582
RADEAS, LLC	06/22/21	\$6,122
MEDCOMP SCIENCES, LLC	06/22/21	\$10,903
INFINITI LABS	07/30/21	\$13,218
WEST SUFFOLK NHS FOUNDATION	09/23/21	\$323
VACUNAS PLUS INC.	10/07/21	\$890,027
PERINATAL DIAGNOSTIC CENTER (PDC)	10/18/21	\$15,888
MEDICAL DEVELOPMENT CORP OF PASCO COUNTY DBA THE BONATI INSTITUTE	10/19/21	\$8,179
SUMMIT HEALTH SERVICES INC.	10/29/21	\$601,000
ZAVES & ASSOCIATES, LLC	11/05/21	\$136,796
SLEEPQUEST	12/09/21	\$63,664
ALLIED CARE EXPERTS MEDICAL CENTER	12/09/21	\$6,079
BAY REGIONAL AND INTERNATIONAL INSTITUTE OF NEUROLOGY	12/16/21	\$628,787
		\$4,155,004

2022

Case Name	Completion Date	Recoupment Amount
AUNTIE M'S SPEECH SERVICES	01/06/22	\$2,904
SILVA CLINIC	01/12/22	\$34,391
SHAMANI, AZAM	01/13/22	\$220
MEDINA, JOANN INELIGIBILITY	01/18/22	\$257,523
THERAPEUTIC ALLIANCE	02/10/22	\$41,360
REGIONAL HEALTH DIAGNOSTICS LLC	02/11/22	\$164,428
LOW T PHYSICIANS SERVICE	02/11/22	\$2,019
HOSPITAL INTERNISTS OF TEXAS	03/15/22	\$59
THE JOINT AND SPINE PAIN CENTER	03/23/22	\$9,974
SOLARA MEDICAL SUPPLIES	05/26/22	\$350
ACHIEVE MEDICAL CENTER	06/02/22	\$6,449
FAMILY FIRST CENTER FOR AUTISM AND CHILD DEVELOPMENT, INC.	06/06/22	\$8,981
JELLENEK, GREGORY P. OD	06/07/22	\$2,696
PARADIGM LABS, LLC	07/18/22	\$5,498
BEHAVIORAL PERSPECTIVE, INC.	07/18/22	\$64,334
INTEGRATED PAIN CONSULTANTS	07/20/22	\$43,654
LIBERTY MEDICAL CENTER	07/21/22	\$44,532
BAY FOOT AND ANKLE CENTER PA	07/21/22	\$38,671
DES PHARMACY	07/21/22	\$32,702
TARBOX, PETER MD	08/10/22	\$475,210
PRECISION SPINE AND PAIN MANAGEMENT	08/30/22	\$50,654
COLLABORATIVE AUTISM RESOURCES AND EDUCATION	08/30/22	\$40,920
MEBE SAN DIEGO	09/21/22	\$8,140
MEDICI AMERICA INC	10/07/22	\$109,898
THE KID SPOT CENTER LLC	12/01/22	\$4,462
JOHNSON,ASHLEY	12/05/22	\$697
BLOOM BEHAVIORAL SOLUTIONS	12/12/22	\$48,151
		\$1,498,878

2023

Case Name	Completion Date	Recoupment Amount
STONE OAK ALLERGY	01/11/23	\$4,005
KGH AUTISM SERVICES	01/11/23	\$66,124
CPAP MEDICAL SUPPLIES AND SERVICES	01/12/23	\$74,666
WAHL, WALTER, MD	01/17/23	\$3,153
ALAMO BEHAVIORAL HEALTH ASSOCIATES	01/31/23	\$3,191
PREMIER PAIN CONSULTANTS, PA	02/15/23	\$74,023
SOWAL HEALTH AND DRUG	02/17/23	\$20,742
VELOCITY URGENT CARE	02/23/23	\$2,097
A BEHAVIORAL APPROACH LLC	02/23/23	\$32,421
DUCKTAILS PEDIATRIC THERAPY AND WELLNESS	02/23/23	\$3,114
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ADVANCE FOOT ANKLE CARE OF INDIAN RIVER	02/24/23	\$61,697
CENTRAL FLORIDA FOOT AND ANKLE	02/24/23	\$34,364
PALMETTO PAIN MANAGEMENT	02/24/23	\$13,090
JOELLE RABOW MALETIS & ASSOCIATES	02/24/23	\$6,499
TRINITY BEHAVIORAL HEALTH, LLC	02/24/23	\$2,381
PIEDMONT BEHAVIORAL SERVICES, PC	02/24/23	\$16,882
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PROGRESSIVE PODIATRY	11/17/23	\$80,632
WEST ATLANTA INTERNAL MEDICINE	11/21/23	\$24,136
		\$20,723,483

Combined

Case Name	Completion Date	Recoupment Amount
CASTLE AIR AMBULANCE	01/02/19	\$89,562
MEDICAL CENTER OF NORTH BROWARD/DR. OUW/DR. HARMAN	01/08/19	\$242,980
JET RESCUE	01/14/19	\$143,826
EMPOWERMENT COUNSELING SERVICES, INC	01/15/19	\$10,869
PESESCHKIAN, NAWID MD	01/16/19	\$135,486
MATRIX HEALTH	01/22/19	\$2,862,310
LEJAWA, ROBERT, DO	01/23/19	\$7,083
LITTLEFIELD PHYSICAL THERAPY	01/24/19	\$6,682
NACMED	01/31/19	\$7,383
THE PHYSICAL THERAPY CENTER	01/31/19	\$5,761
MHM GROUP LLC	02/14/19	\$57,505
DENNIS, JUDY, SLP	02/25/19	\$46,554
CHAMPION MEDICAL SUPPLIES	03/08/19	\$617
TAN, JEANETTE S., MD	03/19/19	\$109,105
ELLIOT AND ASSOCIATES COUNSELING SERVICES	03/20/19	\$92
REYNOLDS, GLENN, A.	03/21/19	\$124,992
EMERALD COAST SPEECH THERAPY	03/25/19	\$4,808
PETERS, JENNIFER	04/08/19	\$43,554
CARVAJALS PHARMACY (BIORX)	04/09/19	\$1,936
CORTICA BEHAVIORAL HEALTH, INC	04/15/19	\$65,207
COMMONWEALTH HEALTH CORP.	04/26/19	\$1,147
AGILUS HEALTH	04/30/19	\$3,926
ELITE MEDICAL TRANSPORT	05/01/19	\$28,927
PROACTIVE PHYSICAL THERAPY	05/01/19	\$7,314
MVZ WESTPFALZ	05/01/19	\$11,875
CHILDREN'S HOSPITAL OF ORANGE COUNTY	05/01/19	\$25,620
PEDIATRICS PLUS, INC	05/02/19	\$4,411
HOLLINS, RONALD J, MD	05/03/19	\$45,000
LASER SPINE INSTITUTE	05/22/19	\$42,139
LASER SPINE SURGERY CENTER	05/22/19	\$1,032,879
ADDIE'S AUTISM FITT CLUB	06/03/19	\$11,895
EMERALD COAST AUTISM CENTER	06/07/19	\$17,705
INFINITE GRACE AUTISM ACADEMY	06/10/19	\$36,331
TODOROFF, LAURA, DO / JOINT MEDICAL	06/25/19	\$12,637
TRUMPHET BEHAVIORAL HEALTH	06/27/19	\$616,312
DANIELS, TROY, LMFT	07/01/19	\$4,360
GREENWOOD PHYSICAL THERAPY AND ACUPUNCTURE, INC.	07/01/19	\$9,955
PHYSICAL THERAPY SOLUTIONS, PC	07/02/19	\$3,907
CHESAPEAKE REHAB EQUIPMENT, INC.	07/02/19	\$7,969
DIXIE INFUSION PHARMACY LLC	07/02/19	\$31,531
INTOUCH PHARMACY, LLC	07/02/19	\$2,434,336
NATIONAL SEATING AND MOBILITY	07/02/19	\$19,768
UNITED SEATING AND MOBILITY, LLC	07/02/19	\$7,366
AUTISM LEARNING PARTNERS	07/09/19	\$5,387
FOX VALLEY AUTISM TREATMENT PRO	07/19/19	\$43,888
CARE PHYSICAL THERAPY	07/24/19	\$14,092
MENTORING AND BEHAVIOR SERVICES	07/24/19	\$57,346
THERAPIES 4 KIDS INC	07/30/19	\$8,319
SHAPING CHANGE, LLC	08/01/19	\$117,219
BABB, JOHN - BENEFICIARY	08/02/19	\$135,116
RSA TUMON LLC	08/05/19	\$252,086
PREMIER COMPOUNDING PHARMACY	08/12/19	\$294,863
PATHOLOGY CONSULTANT OF GEORGIA	08/13/19	\$61,981
HNO PRAXIS BETHGE AND FORESTER	08/13/19	\$493,870

*RMHOLD*128* RITE AID #06769	08/15/19	\$38,293
UNIVERSITY OF KANSAS CANCER CENTER PHARMACY	08/15/19	\$25,038
ALORIA HEALTH OF MILWAUKEE	08/15/19	\$10,432
HEIDER,TIMOTHY,MD	08/16/19	\$184,655
DAVIS, BETSY, DMD	08/16/19	\$13,570
GRANDHIGE, GOPAL MD	08/16/19	\$64,704
SCHNICK, TRINITY AND TALIA	08/26/19	\$1,472
AUTISM ACADEMY OF SOUTH CAROLINA	08/28/19	\$24,736
WHITE COUNTY MEDICAL UNITY HEALTH WCMC	09/04/19	\$583
ACADEMY ABA	09/26/19	\$775
GULF COAST PAIN INSTITUTE	10/21/19	\$7,981
AUTISM DEVELOPMENTAL INTERVENTION	11/06/19	\$11,046
CHILDREN'S HOSPITAL OF ORANGE COUNTY	11/06/19	\$3,609
CURLING, FRANK	11/06/19	\$32,991
BRIOVARX INFUSION SERVICES	11/06/19	\$25,981
SOLEO HEALTH	11/07/19	\$105,095
ARDMORE FAMILY MEDICAL CLINIC	11/08/19	\$30,659
YORK ALLERGY AND ASTHMA	11/12/19	\$34,878
GILLARD, JOHNATHON A. AND SALENA W.	11/12/19	\$22,087
FANOUS, MICHAEL M., DPM	11/13/19	\$351,391
NELSON,MD,PAULA	11/13/19	\$9,565
ATLAS PHYSICAL THERAPY	11/14/19	\$5,557
SAMSUNG MEDICAL CENTER	11/19/19	\$816,518
TENNESSEE VALLEY PAIN CONSULTANTS	11/20/19	\$7,577
MUZZALL, ANDRIAN - BENEFICIARY	11/20/19	\$155,951
SOUTHEAST ALABAMA AUTISM CENTER	11/21/19	\$357,219
THE PAIN MANAGEMENT GROUP	11/21/19	\$16,833
PACIFIC LABS	11/22/19	\$42,526
MEDINA, MARIA PHD	12/02/19	\$5,818
REHAB FOR ALL, LLC	12/03/19	\$12,891
SPECTRUM HOUSE	12/05/19	\$101,562
AZMO PHARMACY COMPOUNDING	12/16/19	\$929,571
HERITAGE COMPOUNDING PHARMACY	12/18/19	\$385,080
ACCESS ENDOCRINE, DIABETES AND THYROID CENTER PC	01/06/20	\$3,018
HOSPICE	01/06/20	\$95,443
LIBERTY FOR ALL PHARMACY	01/15/20	\$364,772
H&H INTEGRATIVE PHARMACY	01/15/20	\$95,732
BROWN,COURTNEY,DARREN	01/16/20	\$20,265
SINGH, SUDEEP MD	01/16/20	\$46,468
ALAMO PAIN CENTER	01/22/20	\$29,493
SUN LAKE PHARMACY	01/24/20	\$297,355
LIGMAN, SHEENA	01/24/20	\$213,768
CONCENTRA INC	01/30/20	\$1,708
SOUTHEASTERN PHYSICAL THERAPY	01/30/20	\$4,580
PROGRESSIVE PHYSICAL THERAPY	02/05/20	\$5,500
BACK IN ACTION THERAPY LLC.	02/07/20	\$17,743
SPECTRA CLINICAL LAB	03/16/20	\$60,696
RIEDL, TOBIAS DR	03/16/20	\$38,493
INELIGIBLE BENEFICIARIES - HANS, REGINALD	03/18/20	\$189,311
MDRS THERAPY, INC., D/B/A SAN DIEGO SPINE AND SPORT	03/18/20	\$4,174
PHUSION PHARMACY	04/09/20	\$282,645
BETHI,VIDYA R.,MD	04/13/20	\$17,950
SCHWAB, JOSEPH, MD	06/01/20	\$6,000
CHESAPEAKE REHAB EQUIPMENT INC	06/01/20	\$7,969
DIXIE INFUSION PHARMACY LLC	06/01/20	\$31,531

INTOUCH PHARMACY LLC	06/01/20	\$24,343
NATIONAL SEATING AND MOBILITY	06/01/20	\$19,768
UNITED SEATING AND MOBILITY LLC	06/01/20	\$7,366
ALPINE AUTISM CENTER	06/18/20	\$34,931
MILLER,ERIC,J,MD,PA/CENTRAL TEXAS PAIN CENTER/ CARPENTIER	06/18/20	\$31,526
THE OLIVE BRANCH LLC	06/23/20	\$40,209
OLGA RODGERS, MS CCC-SLP	06/23/20	\$3,285
AMOLS, MARK MD	06/24/20	\$225,961
*RMHOLD*108* COMPREHENSIVE PAIN SPECIALISTS	06/24/20	\$12,821
PHYSICIAN PAIN CARE ASSOCIATES	06/24/20	\$730,583
CLAUDE VALENTI OD	06/24/20	\$13,568
PEDIATRIC THERAPY PARTNERS	07/13/20	\$21,350
*RMHOLD*118* PREMIER MEDICAL	07/21/20	\$10,420
GALLIA, GARY MD	08/14/20	\$96,745
THE ANCHOR CLINIC	08/18/20	\$6,325
MILLS, KIERSTEN RIANE PA-C - OPIOID PROJECT	08/28/20	\$9,204
MARSIGLIA, CHERYL, PHD	09/10/20	\$10,285
AGGARWAL, VED MD DBA TEXAS PAIN INSTITUTE	09/16/20	\$12,496
COMPASS BEHAVIORAL & DEVELOPMENTAL CONSULTANTS (CBDC)	09/21/20	\$14,279
AMERICAN CLINICAL SOLUTIONS	09/25/20	\$19,188
ROHATGI, ROSEMARIE	10/14/20	\$194,748
ROHATGI, ROSEMARIE DDM	10/14/20	\$142,923
LOFTIS VANDERBILT INTEGRATED	10/21/20	\$1,956
SPECIALTY CARE PHARMACY	11/02/20	\$2,186,987
THE KEY CENTER	11/04/20	\$5,604
SHAIK, IMTIAZUDDIN MD	11/12/20	\$28,000
THRIVEWORKS COUNSELING	12/11/20	\$4,927
LUNDQUIST, ERIK MD	12/30/20	\$8,651
EDWARDS, JAMES HENRY MD - GULF SHORES	01/25/21	\$100
ASSOCIATED PHYSICIANS GROUP HEALTH	02/03/21	\$5,559
LIVWELL PHARMACY	02/11/21	\$37,843
ALTIUS INSTITUTE FOR BIOMEDICAL SCIENCES	02/26/21	\$404
BEHAVIORAL HEALTH WORKS, INC	03/11/21	\$12,951
AEGIS SCIENCES CORPORATION	03/11/21	\$9,039
WEISS AND NEWBERRY MEDICAL ASSOCIATES	03/16/21	\$226,057
OPTIGEN, INC. .	03/17/21	\$401,047
INNOVATIVE PHYSICAL THERAPY	03/18/21	\$1,079
GLASSON SPORTS MEDICINE	03/26/21	\$5,392
LONE STAR NEUROLOGY	05/14/21	\$663,661
TRIDENT PAIN CENTER, LLC	05/14/21	\$9,620
CASTLE MEDICAL, LLC.	05/14/21	\$22,786
BRIER CREEK INTEGRATED PAIN & SPINE	05/14/21	\$8,590
BEHAVIOR KEYS	05/18/21	\$41,311
TLC KID'S THERAPY	06/07/21	\$3,259
CARRANZA, ORIEL MCCLEAN, MD	06/07/21	\$89,165
WADE, EUGENE MD	06/07/21	\$157,176
TRI-ESSENCE CARE PLLC	06/11/21	\$68,398
POSITIVE BEHAVIOR SUPPORTS CORP	06/22/21	\$10,582
RADEAS, LLC	06/22/21	\$6,122
MEDCOMP SCIENCES, LLC	06/22/21	\$10,903
INFINITI LABS	07/30/21	\$13,218
WEST SUFFOLK NHS FOUNDATION	09/23/21	\$323
VACUNAS PLUS INC.	10/07/21	\$890,027
PERINATAL DIAGNOSTIC CENTER (PDC)	10/18/21	\$15,888
MEDICAL DEVELOPMENT CORP OF PASCO COUNTY DBA THE BONATI INSTITUTE	10/19/21	\$8,179

SUMMIT HEALTH SERVICES INC.	10/29/21	\$601,000
ZAVES & ASSOCIATES, LLC	11/05/21	\$136,796
SLEEPQUEST	12/09/21	\$63,664
ALLIED CARE EXPERTS MEDICAL CENTER	12/09/21	\$6,079
BAY REGIONAL AND INTERNATIONAL INSTITUTE OF NEUROLOGY	12/16/21	\$628,787
AUNTIE M'S SPEECH SERVICES	01/06/22	\$2,904
SILVA CLINIC	01/12/22	\$34,391
SHAMANI, AZAM	01/13/22	\$220
MEDINA, JOANN INELIGIBILITY	01/18/22	\$257,523
THERAPEUTIC ALLIANCE	02/10/22	\$41,360
REGIONAL HEALTH DIAGNOSTICS LLC	02/11/22	\$164,428
LOW T PHYSICIANS SERVICE	02/11/22	\$2,019
HOSPITAL INTERNISTS OF TEXAS	03/15/22	\$59
THE JOINT AND SPINE PAIN CENTER	03/23/22	\$9,974
SOLARA MEDICAL SUPPLIES	05/26/22	\$350
ACHIEVE MEDICAL CENTER	06/02/22	\$6,449
FAMILY FIRST CENTER FOR AUTISM AND CHILD DEVELOPMENT, INC.	06/06/22	\$8,981
JELLENK, GREGORY P. OD	06/07/22	\$2,696
PARADIGM LABS, LLC	07/18/22	\$5,498
BEHAVIORAL PERSPECTIVE, INC.	07/18/22	\$64,334
INTEGRATED PAIN CONSULTANTS	07/20/22	\$43,654
LIBERTY MEDICAL CENTER	07/21/22	\$44,532
BAY FOOT AND ANKLE CENTER PA	07/21/22	\$38,671
DES PHARMACY	07/21/22	\$32,702
TARBOX, PETER MD	08/10/22	\$475,210
PRECISION SPINE AND PAIN MANAGEMENT	08/30/22	\$50,654
COLLABORATIVE AUTISM RESOURCES AND EDUCATION	08/30/22	\$40,920
MEBE SAN DIEGO	09/21/22	\$8,140
MEDICI AMERICA INC	10/07/22	\$109,898
THE KID SPOT CENTER LLC	12/01/22	\$4,462
JOHNSON,ASHLEY	12/05/22	\$697
BLOOM BEHAVIORAL SOLUTIONS	12/12/22	\$48,151
STONE OAK ALLERGY	01/11/23	\$4,005
KGH AUTISM SERVICES	01/11/23	\$66,124
CPAP MEDICAL SUPPLIES AND SERVICES	01/12/23	\$74,666
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