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Texas Dentists for Medicaid Reform

November 18, 2014

Sunset Advisory Commission,
1501 North Congress Avenue,
6th Floor, Robert E. Johnson Building,
Austin, Texas 78701

ATTN: Ken Levine, Director

BY EMAIL

RE: FURTHER COMMENTS RELATING TO SUNSET STAFF REPORT ON THE TEXAS HEALTH AND HUMAN SERVICES COMMISSION AND PUBLIC HEARINGS

Dear Mr. Levine:

In addition to our letter of October 17th, we wish to add the following for the consideration of Commission.

After hearing the testimony of Ms. Arlene Wohlgemuth and the attendant comments from Sen. Hinojosa and Rep. Raymond, we believe there should be an immediate stay on all OIG cases and their legal proceedings pending external review by another suitable agency. If the Commission cannot do this, it should recommend the appropriate agency to do so.

If OIG investigators have been pressured by their superiors to change their investigative reports to include non-factual allegations to “get something” on providers, per Rep. Raymond, this taints all provider investigations and should lead to criminal charges against the perpetrators.

Providers should not have to spend their resources to defend against trumped up allegations.

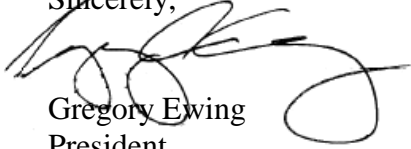
The wheat needs to be separated from the chaff. Those providers who have done nothing wrong need to be sorted out from those who possibly have. They should not be plowed into bankruptcy to defend against non-existent evidence.

These allegations of possible criminal conduct within OIG also calls into question settlements which OIG has pressured providers to make, such as in the case of Carousel Pediatrics, so they could continue their practices. So such an external review should also look at these settlements.

If the state does not take action now, providers may start clamoring for restitution for the loss of their businesses.

Thank you for your fine work

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory Ewing', with a large, stylized flourish at the end.

Gregory Ewing
President
Texas Dentists for Medicaid Reform

GE:aa