

1 10A NCAC 22F .0601 is proposed for readoption without substantive change as follows:

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3 **SECTION .0600 – ADMINISTRATIVE SANCTIONS AND RECOUPMENT**

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5 **10A NCAC 22F .0601 RECOUPMENT**

6 (a) The Division Medicaid Agency shall ~~will~~ seek full restitution of ~~any and all~~ improper ~~payments~~ payments, as
7 defined by 42 C.F.R. 431.958, which is adopted and incorporated by reference with subsequent changes or
8 amendments and available free of charge at <https://www.ecfr.gov/>, made to providers by the Medicaid Program.
9 Recovery may be by lump sum payment, by a negotiated payment schedule not to exceed one year, ~~year~~ or by
10 withholding from the provider's pending claims the total or a portion of the recoupment amount.

11 (b) A provider may seek reconsideration review of a recoupment imposed by the division under Rule .0402 of this
12 Subchapter. ~~may argue all or a part of a recoupment imposed by the Medicaid Agency by requesting a Reconsideration~~
13 ~~Review of the investigative findings and, thereafter, an Executive Decision.~~

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15 *History Note: Authority G.S. 108A-25(b); 42 C.F.R. Part 431, Subpart Q; 434; 42 C.F.R. Part 455, Subpart F;*
16 *455; 42 C.F.R. Part 456;*
17 *Eff. February 1, 1982;*
18 *Amended Eff. May 1, 1984; 1984.*
19 *Readopted Eff. May 1, 2018.*
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