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**New York State Medicaid Inspector General Announces
Oversight Agreement with FORBA Dental
*OMIG Investigation Led to Quality-of Care Initiatives***

Albany, NY – Following nearly two years of investigations that involved interviewing parents and children and reviewing countless dental and billing records, the New York State Office of the Medicaid Inspector General (OMIG) developed a strict oversight plan for FORBA dental practices within New York State, according to an announcement from Medicaid Inspector General James G. Sheehan.

“The results of our investigations indicated that the FORBA offices had deficiencies in management and dental practice,” said Sheehan. “As a program integrity agency, the OMIG must protect not only Medicaid payments, but also the treatment rendered to Medicaid beneficiaries.”

Known as a corporate integrity agreement (CIA), the oversight plan requires FORBA to comply with standards set forth by the OMIG, including:

- Appointing a dental director for their New York State offices;
- Requiring prior approval from OMIG before expanding or opening new offices in New York State;
- Ensuring that an independent review organization (IRO) reviews charts from each New York State facility on a quarterly basis, including reviewing all work performed that encompasses more than three pulpomotomies (i.e., root canals) and/or crowns during the same dental session; and
- Engaging a monitor who must visit each New York State facility at least annually.

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Additionally, the OMIG retains the right to interview compliance personnel prior to their appointment, at no cost to New York State taxpayers. New York State also retains the right to continue investigating individual dentists and seek administrative remedies where appropriate.

The OMIG worked in conjunction with New York State Attorney General Andrew M. Cuomo's Medicaid Fraud Control Unit (MFCU) and the New York State Office of Professional Discipline (OPD) during the investigative process. The state agencies also cooperated with federal authorities, including the Department of Health and Human Services Office of Inspector General and the United States Department of Justice.

New York State and the federal government took action after hearing complaints that the previous FORBA management allowed alleged improper practices in treating children, specifically Medicaid recipients, by restraining them during lengthy dental visits, performing root canals and placing crowns on baby teeth, and not allowing parents to accompany children during dental treatment.

As a condition of this agreement, FORBA will pay New York State \$2.3 million to settle audit findings from previous years in the Rochester and Syracuse offices. These findings are outside of the provisions of the corporate integrity agreement.

The OMIG will continue to work with FORBA to ensure that all dental practices within the state follow the CIA. "After completing thorough investigations and interviews with FORBA, the OMIG recognizes that the company has begun to take steps to improve quality of care for its patients," Sheehan said. "OMIG investigators conducted detailed interviews with numerous people associated with FORBA before deciding that this settlement and corporate integrity agreement were in the best interests of New York State and its Medicaid beneficiaries."

The New York CIA comes on the heels of a federal CIA from the United States DHHS/OIG and DOJ, announced January 20, involving 22 states, including New York State, which also resulted in a global monetary settlement of \$24 million. New York State will receive \$1.15 million from that settlement.

The complete New York CIA is posted on the OMIG's Web site at www.omig.state.ny.us.

FORBA has offices in Rochester and Syracuse doing business as Small Smiles, and one in Albany known as Access Dental.