

cc: Ms. Daniels Rivera by Scan
Ms. Mailloux by Scan
Ms. Bordeaux by Scan
Mr. Cohen by Scan
BOA by scan
SAPA File



Department of Health

KATHY HOCHUL
Governor

JAMES V. McDONALD, MD, MPH
Commissioner

JOHANNE E. MORNE, MS
Executive Deputy Commissioner

July 29, 2026

CERTIFIED MAIL/RETURN RECEIPT

Enoch Ho Chun Kun, Esq.
NYS Office of the Medicaid Inspector General
800 North Pearl Street
Albany, New York 12205

Mark Silberman, Esq.
Benesh, Friedlander, Coplan
& Aronoff LLP
71 South Wacker Drive, Suite 1600
Chicago, Illinois 60606

Hudson Home Health Care, Inc.
5959 Shallowford Road, Suite 443
Chattanooga, Tennessee 37421

RE: In the Matter of Hudson Home Health Care, Inc.

Dear Parties:

Enclosed please find the Decision After Hearing in the above referenced matter.

If the appellant did not win this hearing, the appellant may appeal to the courts pursuant to the provisions of Article 78 of the Civil Practice Law and Rules. If the appellant wishes to appeal this decision, the appellant may wish to seek advice from the legal resources available (e.g. the appellant's attorney, the County Bar Association, Legal Aid, OEO groups, etc.). Such an appeal must be commenced within four (4) months after the determination to be reviewed becomes final and binding.

Sincerely,

A handwritten signature in cursive script that reads "Natalie J. Bordeaux".

Natalie J. Bordeaux
Chief Administrative Law Judge
Bureau of Adjudication

NJB: cmg
Enclosure

STATE OF NEW YORK
DEPARTMENT OF HEALTH

COPY

In the Matter of the Appeal of	:	
	:	
Hudson Home Health Care, Inc.	:	Default
Medicaid ID # 03161502	:	Decision
	:	
from a determination by the NYS Office of the	:	
Medicaid Inspector General to recover Medicaid	:	
Program overpayments.	:	#24-4836

Before: John Harris Terepka
Administrative Law Judge

Hearing date: July 28, 2026
By videoconference

Parties: New York State Office of the Medicaid Inspector General
800 North Pearl Street
Albany, New York 12205
By: Enoch Ho Chun Kun, Esq.
enoch.kun@omig.ny.gov

Hudson Home Health Care, Inc.
5959 Shallowford Road, Suite 443
Chattanooga, Tennessee 37421
By: Mark J. Silberman, Esq.
Benesh, Friedlander, Coplan & Aronoff LLP
71 South Wacker Drive, Suite 1600
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The New York State Office of the Medicaid Inspector General (OMIG) determined to recover Medicaid Program overpayments from Hudson Home Health Care (the Appellant). The OMIG's determination was communicated to the Appellant by a final audit report dated January 6, 2026. By letter dated March 3, 2026, the Appellant requested a hearing pursuant to SSL 145-a and New York State regulations at 18 NYCRR 519.4 to review the overpayment determination.

Written notice of hearing in conformity with the requirements of 18 NYCRR 519.10 was sent by the OMIG to the Appellant on April 2, 2026, scheduling the hearing to commence on May 15, 2026. By letter dated May 7, 2026, the Appellant requested and the OMIG consented to reschedule the hearing from May 15 to July 28, 2026. The July 28 hearing date was confirmed by a May 7, 2026 email from the administrative law judge to the parties.

Neither party appeared on July 28, 2026, nor did either party contact the Bureau of Adjudication or request that the hearing be rescheduled. The Appellant did not withdraw the hearing request nor did either party advise the Bureau of Adjudication that a settlement had been finalized.

The OMIG failed to provide a representative at the hearing to present the audit file and summarize the case. 18 NYCRR 519.17(a). The hearing was not rescheduled and the Appellant did not appear at the hearing on the scheduled date. 18 NYCRR 519.12(a). This administrative proceeding is dismissed. 18 NYCRR 519.11, 519.12, 519.17.

DATED: Rochester, New York
July 28, 2026


John Harris Terepka
Bureau of Adjudication