



DEPARTMENT OF HEALTH AND HUMAN SERVICES

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**OFFICE OF INSPECTOR GENERAL**

WASHINGTON, DC 20201



**February 15, 2024**

Jeffrey Loren Fraser, M.D.  
9200 Heritage Lake Drive, #105  
Lincoln, NE 68526

Dear Jeffrey Loren Fraser:

RE:   OIG File Number 7-18-40015-9

On July 30, 2021, you were notified by the Office of Inspector General (OIG) that you were being excluded from participation in all Federal health care programs for the statutory minimum period of 5 years. The OIG imposed this exclusion under section 1128(a)(4) of the Social Security Act, based on your felony conviction in the United States District Court, District of Nebraska, of a criminal offense related to the unlawful manufacture, distribution, prescription, or dispensing of a controlled substance. Your exclusion became effective August 19, 2021, and remains in effect.

By letter dated November 4, 2022, Kevin Bagley, Director, Division of Medicaid and Long-Term Care, Nebraska Department of Health and Human Services requested a waiver of your exclusion. Since the request met the criteria set forth in 42 CFR 1001.1801(b), by letter dated May 19, 2023, we granted this request with respect to items and services furnished, ordered, or prescribed to Nebraska Medicaid beneficiaries in Hamilton County, Nebraska.

The OIG has reviewed this prior waiver and, in consultation with the Centers for Medicare & Medicaid Services (CMS), is modifying the previously granted waiver to include items and services furnished, ordered, or prescribed by you to both Nebraska Medicare and Nebraska Medicaid beneficiaries in Hamilton County, Nebraska. This expanded waiver supersedes the waiver granted on May 19, 2023, and is effective as of the date of this letter.

This waiver affects only the services specified above for as long as the Nebraska Medicaid program and CMS determine that such need exists. Your exclusion remains in effect for all items and services you furnish, order, or prescribe within all other programs in Nebraska and all other states. This action does not otherwise change your current exclusion; it remains in effect and as detailed in your exclusion notice, reinstatement is not automatic. You must apply for reinstatement at the end of your exclusion period to be considered for reinstatement.

This waiver is not retroactive and does not authorize you to claim payment for items and services you have previously rendered that were outside the scope of the previously granted waiver dated May 19, 2023. If the basis for this waiver ceases to exist, the waiver will be rescinded.

Sincerely,

**Joann M.** Digitally signed  
by Joann M.  
**Francis** Francis

Joann M. Francis  
Reviewing Official  
Exclusions Branch

cc: Kevin Bagley, Director  
Division of Medicaid and Long-Term Care  
Nebraska Department of Health and Human Services

Minisha Hicks, Director  
Division of Provider Enrollment Appeals  
Provider Enrollment & Oversight Group  
Center for Program Integrity  
Centers for Medicare and Medicaid Services



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**May 19, 2023**

Jeffrey Loren Fraser, M.D.  
9200 Heritage Lake Drive, #105  
Lincoln, NE 68526

Dear Jeffrey Loren Fraser:

RE: OI File Number 7-18-40015-9

On July 30, 2021, you were notified by the Office of Inspector General (OIG) that you were being excluded from participation in the Medicare, Medicaid, and all Federal health care programs for a minimum period of 5 years. That action was taken under Section 1128(a)(4) of the Social Security Act (Act) and was based on your felony conviction in the United States District Court, District of Nebraska, of a criminal offense related to the delivery of an item or service under the Medicare or a State health care program. Your exclusion became effective August 19, 2021 and remains in effect.

By letter dated November 4, 2022, Kevin Bagley, M.D., DHA, FACHE, Medicaid Director, Nebraska Department of Health and Human Services requested a waiver of your exclusion. The request for a waiver is based on Nebraska's determination that you are the sole source of essential specialized services in the Hamilton County, NE, and that your exclusion would impose a hardship on these Nebraska Medicaid beneficiaries. Since this request meets the criteria set forth in 42 CFR 1001.1801 and Section 1128(c)(3)(B) of the Act, we are granting the State agency's request for the waiver of exclusion with respect to your enrollment as a provider in the Nebraska Medicaid program.

This waiver only applies to the Nebraska Medicaid program. Your exclusion remains in effect for all items and services you furnish, order, or prescribe within all other state health care programs in Nebraska and all state health care programs in other states, with the exception of North Carolina Medicaid where a waiver for your services has previously been provided, and any other Federal health care programs. As detailed in your exclusion notice, reinstatement to participation in all Federal health care programs is not automatic. You must apply to the OIG for reinstatement at the end of your 5-year term of exclusion in order to be considered for reinstatement and become eligible to participate in all Federal health care programs.

Approval of this waiver request means that, **effective with the date of this notice**, you may submit claims for payment of covered Medicaid program items and services furnished by you to the Nebraska Medicaid program. This waiver is not retroactive and does not authorize you to claim Nebraska Medicaid program payment for items and services you have previously rendered. If the basis for this waiver ceases to exist, the waiver will be rescinded.

Sincerely,

**Joann M.** Digitally signed  
**Francis** by Joann M.  
Francis

Joann M. Francis  
Reviewing Official  
Exclusions Branch

cc: Kevin Bagley, M.D., DHA, FACHE  
Nebraska Medicaid Director