



DEPARTMENT OF HEALTH AND HUMAN SERVICES

OFFICE OF INSPECTOR GENERAL



EXCLUSIONS BRANCH
P.O. Box 23871
WASHINGTON, DC 20026

May 29, 2015

Eduardo Siria Miranda, M.D.
8306 Estate Drive
Laredo, TX 78045-8135

Dear Eduardo Siria Miranda:

RE: OI File Number H-14-4-3117-9

On May 29, 2015 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 13 years. This action is being taken under section 1128(a)(1) of the Social Security Act (the Act) and is due to your conviction as defined in section 1128(i) (42 U.S.C. 1320a-7(i)), in the United States District Court, Southern District of Texas, Laredo Division, of a criminal offense related to the delivery of an item or service under the Medicare or a State health care program, including the performance of management or administrative services relating to the delivery of items or services, under any such program. Your exclusion becomes effective June 18, 2015 and will remain in effect.

By letters dated February 26, 2015 and March 12, 2015 from Kay Ghahremani, Texas Medicaid and CHIP Director, Texas Health and Human Services Commission requested a waiver of your exclusion from Medicare, Medicaid, and all Federal health care programs as defined in section 1128(h) of the Act. The request is based on the State agency's determination that you are the sole source of essential specialized services and/or the sole community physician for services to Medicaid recipients in South Texas in the following counties; Kinney, Uvalde, Bandera, Kendall, Comal, Guadalupe, Wilson, Karnes, Goliad, Victoria, Calhoun, Medina, Maverick, Zavala, Frio, Atascosa, Dimmitt, La Salle, McMullen, Live Oak, Bee, Webb, Duval, Jim Wells, San Patricio, Nueces, Zapata, Jim Hogg, Brooks, Kenedy, Starr, Hidalgo, Willacy and Cameron. Since this request meets the criteria set forth in 42 CFR 1001.1801(b) and section 1128(c)(3)(B) of the Act, we are granting the State agency's request for the waiver of your exclusion to provide physician services under your licensure as a medical doctor in Kinney, Uvalde, Bandera, Kendall, Comal, Guadalupe, Wilson, Karnes, Goliad, Victoria, Calhoun, Medina, Maverick, Zavala, Frio, Atascosa, Dimmitt, La Salle, McMullen, Live Oak, Bee, Webb, Duval, Jim Wells, San Patricio, Nueces, Zapata, Jim Hogg, Brooks, Kenedy, Starr, Hidalgo, Willacy and Cameron in Texas under Medicare, Medicaid and all Federal health care programs.

This waiver affects only the specified programs in the specified counties in Texas for as long as the State agency determines that such need exists. Your exclusion remains in effect for all items and services you furnish, order, or prescribe with all other programs in all other Texas counties,

cities, and/or towns, as well as 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 in order to be considered for reinstatement. Approval of the waiver request means that, effective the date of exclusion, you may submit claims for payment of covered items and services furnished, ordered or prescribed by you to program beneficiaries in the counties of Kinney, Uvalde, Bandera, Kendall, Comal, Guadalupe, Wilson, Karnes, Goliad, Victoria, Calhoun, Medina, Maverick, Zavala, Frio, Atascosa, Dimmitt, La Salle, McMullen, Live Oak, Bee, Webb, Duval, Jim Wells, San Patricio, Nueces, Zapata, Jim Hogg, Brooks, Kenedy, Starr, Hidalgo, Willacy and Cameron in Texas. Should you wish to obtain a waiver of your exclusion for the purpose of participating in any Federal or State health care program outside of the identified counties, you will have to contact those programs directly.

Your exclusion remains in effect until you have applied for and been granted reinstatement by the OIG. The waiver remains in effect as long as the State agency determines that a need for you services exists in the identified counties above. Should the State agency determine that such need no longer exists or you cease to practice in these counties, your waiver will no longer apply to services you furnish, order or prescribe in the identified counties.

Sincerely,
/Thomas J. Sowinski/

Thomas Sowinski
Special Agent in Charge / Reviewing
Official
Exclusions Branch

cc: Dallas Regional Office