



April 8, 2011

John Blevins Davis, M.D.  
2915 Bitting Road  
Winston Salem, NC 27104-3005

Dear Dr. Davis:

Re: OI File Number 4-09-40280-9

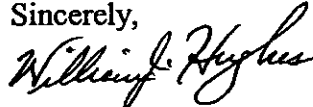
As described in the Office of Inspector General's (OIG) notice of exclusion to you dated March 31, 2010, your exclusion under section 1128(a)(4) of the Social Security Act (Act) became effective 20 days from the date of that letter, i.e., on April 20, 2010, for the minimum statutory period of five years; that exclusion remains in effect.

By letters dated October 27, 2010 and February 23, 2011, Craigan L. Gray, Director, Division of Medical Assistance, North Carolina Department of Health and Human Services, requested a waiver of your exclusion. 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 Dr. Gray's request for a waiver of your exclusion for urologic items and services you furnish, order or prescribe under the Medicare, Medicaid and all Federal health care programs as defined in section 1128(h) of the Act in Yadkin County, North Carolina.

Approval of the waiver request means that, **effective with the date of this notice**, you may submit claims for payment of covered urologic items and services you furnish, order or prescribe under the Medicare, Medicaid and all Federal health care programs as defined in section 1128(h) of the Act in Yadkin County, North Carolina. **This waiver is not retroactive** and does not authorize you to claim program payment for services that you have already rendered to program beneficiaries.

**This waiver affects urologic items and services you furnish, order or prescribe in Yadkin County, North Carolina for as long as the North Carolina Department of Health and Human Services determines that such need exists.** Your exclusion remains in effect for all items and services you furnish, order or prescribe elsewhere in North Carolina and in all other States. This waiver does not otherwise change your exclusion; it remains in effect and, as explained in your exclusion notice, you will have to apply for reinstatement at the end of the exclusion period.

Sincerely,



William J. Hughes

Reviewing Official

Health Care Program Exclusions

Office of Counsel to the Inspector General

cc: Office of Investigations, Atlanta, Georgia  
Craig L. Gray, Director  
Walter C. Holton, Jr., Esquire