

**Department of Health and Human Services**

**Pt. 13, App. A**

Any party that does not file and serve exceptions within the stated time limit loses the opportunity to do so.

**§ 13.28 Judicial review.**

Judicial review of final agency decisions on awards may be obtained as provided in 5 U.S.C. 504(c)(2).

**§ 13.29 Payment of award.**

The notification to an applicant of a final decision that an award will be made shall contain the name and address of the appropriate Departmental finance office that will pay the award. An applicant seeking payment of an award shall submit to that finance officer a copy of the final decision granting the award, accompanied by a statement that the applicant will not seek

review of the decision in the United States courts. The Department will pay the amount awarded to the applicant within 60 days, unless judicial review of the award or of the underlying decision of the adversary adjudication has been sought by the applicant or any other party to the proceedings.

**§ 13.30 Designation of adjudicative officer.**

Upon the filing of an application pursuant to §13.11(a), the officer who presided over the taking of evidence in the proceeding which gave rise to the application will, if available, be automatically designated as the adjudicative officer for the handling of the application.

APPENDIX A TO PART 13

Proceedings covered	Statutory authority	Applicable regulations
Office of the Inspector General		
Proceeding to impose civil monetary penalties or assessments for fraudulent claims under Medicare, Medicaid, and Title V.	42 U.S.C. 1320a-7a	
Health Care Financing Administration		
Proceedings to suspend or revoke licenses of clinical laboratories .....	42 U.S.C. 263a(e), (g).	
Proceedings provided to a fiscal intermediary before assigning or reassigning Medicare providers to a different fiscal intermediary.	42 U.S.C. 1395h .....	
Proceedings before the Provider Reimbursement Review Board when CMS acts as fiscal intermediary.	42 U.S.C. 1395oo ...	42 CFR Part 405, Subpart R.
Food and Drug Administration		
Proceedings to withdraw approval of new drug applications .....	21 U.S.C. 355(d), (e).	21 CFR Part 12, 21 CFR 314.200.
Proceedings to withdraw approval of new animal drug applications and medicated feed applications.	21 U.S.C. 360b(d), (e), (m).	21 CFR Part 12, 21 CFR Part 514, Subpart B.
Proceedings to withdraw approval of medical device premarket approval applications.	21 U.S.C. 306e(d), (e), (g).	21 CFR Part 12.
Office of Civil Rights		
Proceedings to enforce Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.	42 U.S.C. 200d-1 ...	45 CFR 80.9.
Proceedings to enforce Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap by recipients of Federal financial assistance.	29 U.S.C. 794 .....	45 CFR 84.61.
Proceedings to enforce the Age Discrimination Act of 1975, which prohibits discrimination on the basis of age by recipients of Federal financial assistance.	42 U.S.C. 6101, 6104(a).	45 CFR 90.47.
Proceedings to enforce Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in certain education programs by recipients of Federal financial assistance.	20 U.S.C. 1681, 1682.	45 CFR 86.71.