

6-25-01

AT

FILED

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

OCT -3 01

AHCA
DEPARTMENT CLERK

FULL HEALTH CARE, INC.,

Petitioner,

CASE NO.: 00-4441 JUL-CUS

PROVIDER NO.: 3766902100

AUDIT NO.: C. I. 00-0277-000

v.

RENDITION NO.: AHCA-01-262 -FOF-MDO

DIVISION OF
ADMINISTRATIVE
HEARINGS

OCT 4 2 08 PM '01

FILED

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent.

FINAL ORDER

This cause was referred to the Division of Administrative Hearings for a formal administrative hearing. The assigned Administrative Law Judge ("ALJ") has submitted a Recommended Order to the Agency for Health Care Administration ("Agency"). The Recommended Order of June 25, 2001, entered herein is incorporated by reference.

EXCEPTIONS

Counsel for the Petitioner, filed exceptions in numbered paragraphs one through twenty-one, which in effect are a global challenge of the ALJ's fact-finding and legal conclusions. The Petitioner excepts in whole or in part to findings of fact in paragraphs 4, 8, 9, 13, 15, 16, 17, 23, 25, 27, 29, 30, 31, 32, and 33. At this level of review the Agency has no authority to reweigh the evidence. The challenged findings are supported by competent, substantial evidence; therefore, the exceptions are denied. See e.g. Heifetz v. Dept. of

Business Regulation, 475 So.2d 1277, 1281 (Fla. 1st DCA 1985). The Agency fully concurs with the ALJ's conclusions of law.

FINDINGS OF FACT

The Agency hereby adopts the findings of fact set forth in the Recommended Order.

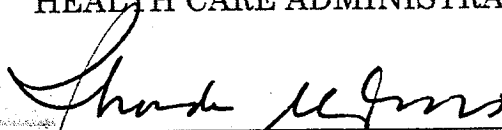
CONCLUSIONS OF LAW

The Agency hereby adopts the conclusions of law set forth in the Recommended Order.

Based on the foregoing, the Petitioner, Full Health Care, Incorporated, is directed to refund Medicaid overpayments in the amount of \$193,232.50. Payment in full is due with 30 days of the filing of this Final Order unless the parties reach an agreement allowing the Petitioner to pay by monthly installments. Pay by check payable to the Agency for Health Care Administration. Mail payment to Agency for Health Care Administration, Office of Finance and Accounting, Attention: Willie Bivens, 2727 Mahan Drive, Mail Stop 14, Tallahassee, Florida 32308.

DONE and ORDERED this 28 day of September, 2001, in Tallahassee, Florida.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION



RHONDA M. MEDOWS, MD, SECRETARY

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO A JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A SECOND COPY ALONG WITH THE FILING FEE AS PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE AGENCY MAINTAINS ITS HEADQUARTERS OR WHERE A PARTY RESIDES. REVIEW PROCEEDINGS SHALL BE CONDUCTED IN ACCORDANCE WITH THE FLORIDA APPELLATE RULES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

COPIES FURNISHED TO:

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John G. Van Laningham
Administrative Law Judge
DOAH, The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

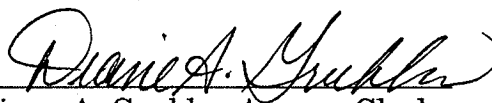
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Wilson Suarez & Lopez
Union Planters Bank Building
2151 LeJeune Road - Mezzanine
Coral Gables, Florida 33134-4200

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing
has been furnished via postage-paid U.S. Mail and/or Inter-office Mail to the
above named persons dated on October 3, 2001.


Diane A. Grubbs, Agency Clerk
State of Florida, Agency for
Health Care Administration
2727 Mahan Drive, Suite 3431
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Tallahassee, Florida 32308
850/922-5865

30-Aug-01