

6-1-01

Final Order No. DOH-01-1734- FOFMOA
FILED DATE - 10/22/01
Department of Health

STATE OF FLORIDA
BOARD OF NURSING

By: Vicki Rakenon
Deputy Agency Clerk

MTM DEPARTMENT OF HEALTH

Petitioner,

vs.

AT

LILLIE FERRY,

Respondent.

DOAH Case No. 01-0369PL
Case No. 2000-05323
License No. RN 3379152

DSM-CLW5

Division of Administrative Hearings
FILED
Date <u>7/6/04</u>

FINAL ORDER

THIS MATTER came before the Board of Nursing (hereinafter "the Board") for final action pursuant to Section 120.57(1)(l), Florida Statutes, at a duly-noticed public meeting held on August 16, 2001, in Orlando, Florida, for the purpose of considering the Recommended Order issued by the Administrative Law Judge in the above-styled case. The Petitioner was represented by Reginald D. Dixon, Esq. The Respondent was not present before the Division of Administrative Hearings (hereinafter "DOAH"), nor was she represented by legal counsel.

After a review of the complete record in this matter, including consideration of the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, any exceptions filed by the parties, and the arguments of each party, the Board makes the following findings and conclusions:

FINDINGS OF FACT

1. The Administrative Law Judge's findings of fact are hereby approved, adopted, and incorporated herein.
2. There is competent, substantial evidence to support the Administrative Law Judge's findings of fact as adopted by the Board.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to the provisions of Sections 120.569 and 120.57(1) and Chapter 484, Florida Statutes.
2. The Administrative Law Judge's conclusions of law are hereby approved, adopted and incorporated herein.
3. There is competent substantial evidence to support the Board's findings and conclusions.

PENALTY

IT IS THEREFORE ORDERED AND ADJUDGED:

The penalty recommended by the Administrative Law Judge is approved.

This Final Order shall become effective upon filing with the clerk of the Department of Health.

DONE AND ORDERED this 9th day of October, 2001.

BOARD OF NURSING



RUTH R. STIEHL, Ph.D., R.N.
Executive Director

NOTICE OF RIGHT TO JUDICIAL REVIEW UNLESS WAIVED

Pursuant to Section 120.569, Florida Statutes, any substantially affected person is hereby notified that they may appeal this Final Order by filing one copy of a Notice of Appeal with the clerk of the Department of Health and by filing the filing fee and one copy

of the Notice of Appeal with the District Court of Appeal within 30 days of the date this Final Order is filed.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to LILLIE FERRY, 101 131st Avenue, East, Madeira Beach, Florida 33708, and Daniel Manry, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee FL 32399-1550 and and by inter-office mail to Reginald Dixon, Staff Attorney, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee, Florida 32308-5403 and Lisa Pease, Senior Attorney, Agency for Health Care Administration, 2727 Mahan Drive, Tallahassee FL 32308, this _____ day of _____, 2001.