

STATE OF FLORIDA
BOARD OF NURSING

Final Order No. DOH-01-1984- FOF-MQA
FILED DATE - 11/16/19
Department of Health
By: Vicki R. Kenon
Deputy Agency Clerk

ASSESSMENT SYSTEMS, INC.

Petitioner,

vs.

DEPARTMENT OF HEALTH,
BOARD OF NURSING

DOAH Case No. 01-2717BID

Respondent.

and

CHAUNCY GROUP INTERNATIONAL
AND EXPERIOR ASSESSMENTS, LLC.,

Intervenor

FINAL ORDER

THIS MATTER came before the Board of Nursing (hereinafter "the Board") for final action pursuant to Section 120.57(1) and (3), Florida Statutes, at a duly-noticed public conference call meeting held on November 8, 2001, for the purpose of considering the Recommended Order issued by the Administrative Law Judge in the above-styled case. The Petitioner was represented by Pau R. Ezatoff, Esq., the Respondent was represented by William Large, General Counsel to the Department of Health, and the Intervenor was represented by Wendy R. Weiner, Esq.

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, exceptions filed by the Petitioner, responses to the

exceptions, and the arguments of each party, the Board makes the following findings and conclusions:

EXCEPTIONS

1. The Petitioner's Exceptions to the Administrative Law Judge's Recommended Order are hereby rejected in total.

FINDINGS OF FACT

1. The Administrative Law Judge's findings of fact are hereby approved, adopted, and incorporated herein and Petitioner's Motion for Remand is denied.

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 120.57(1) and (3) and 464.202, 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.

IT IS THEREFORE ORDERED AND ADJUDGED:

The contract to provided certified nursing assistant testing services, pursuant to RFP-DOH00-015, is hereby awarded to **CHAUNCY GROUP INTERNATIONAL AND EXPERIOR ASSESSMENTS, LLC.**

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

DONE AND ORDERED this 13th day of November, 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 **Paul R. Ezatoff, Esq.**, Katz, Kutter, Haigler, Alderman, Bryant, & Yon, P.A., 106 East College Avenue, 12th Floor, Post Office Box 1877, Tallahassee, Florida 32302-1877; **Wendy R. Wiener, Esq.**, Mang Law Firm, P.A., 660 East Jefferson Street, Tallahassee, Florida 32302; **William W. Large, General Counsel**, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin # A02, Tallahassee, Florida 32399-1703; **Harry L. Hooper, Administrative Law Judge**, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee FL 32399-1550 on this ____ day of _____, 2001.

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