

8-14-02

**STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION**

THE HEALTHCARE CENTER OF NAPLES, INC.  
d/b/a THE ARISTOCRAT,

AT

Petitioner,

DOAH CASE NO. 02-0049  
AHCA CASE NO. 2001071241  
RENDITION NO. AHCA-03 -0119-FOF-OLC

CSH-CWS

vs.

AGENCY FOR HEALTH CARE  
ADMINISTRATION,

Respondent.

03 FEB 21 AM 9:44  
DIVISION OF ADMINISTRATIVE HEARINGS  
FILED

**FINAL ORDER**

This cause was referred to the Division of Administrative Hearings and assigned to an Administrative Law Judge (ALJ) for a formal administrative hearing and the entry of a Recommended Order. The Recommended Order of August 14, 2002, is attached to this Final Order and incorporated herein by reference.

**RULING ON EXCEPTIONS**

No exceptions were filed in this case.

**FINDINGS OF FACT**

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

**CONCLUSIONS OF LAW**

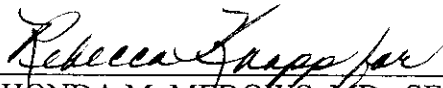
The Agency adopts the conclusions of law set forth in the Recommended Order.

**IT IS THEREFORE ADJUDGED THAT:**

In accordance with the Recommended Order, the Agency failed, by a preponderance of the evidence, to show that there was a factual basis for the issuance of a conditional license rating to Respondent. Therefore, a standard license rating is issued

which replaces the conditional license rating issued, and the conditional rating issued is hereby rescinded.

**DONE and ORDERED** in DOAH Case No. 02-0049 this 18<sup>th</sup> day of February, 2003, in Tallahassee, Florida.

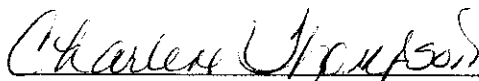
  
RHONDA M. MEDOWS, MD., SECRETARY  
Agency for Health Care Administration

#### **NOTICE OF RIGHT TO JUDICIAL REVIEW**

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW, WHICH SHALL BE INSTITUTED BY FILING THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A COPY, ALONG WITH THE FILING FEE 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 THE RENDITION OF THE ORDER TO BE REVIEWED.

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order has been furnished by U.S. or interoffice mail to the persons named below on this 20 day of February, 2003.

  
for Lealand L. McCharen, Agency Clerk  
Agency for Health Care Administration  
2727 Mahan Drive, MS #3  
Tallahassee, FL 32308

COPIES FURNISHED TO:

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