

9-6-02

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

AGENCY FOR HEALTH CARE
ADMINISTRATION,

AT

Petitioner,

DOAH CASE NO. 02-0596

DSM-CLOS

vs.

AHCA CASE NO. 2002017641

RENDITION NO.: AHCA-03 -0208-FOF-04C

BEVERLY HEALTHCARE EVANS,

Respondent.

_____ /

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 September 6, 2002, is attached to this Final Order and incorporated herein by reference.

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FILED
DIVISION OF ADMINISTRATIVE HEARINGS

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

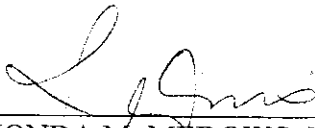
The Agency adopts the conclusions of law set forth in the Recommended Order.

IT IS THEREFORE ADJUDGED THAT:

There was not adequate basis for issuance of conditional licensure status to Respondent and a standard licensure rating is assigned to Respondent for the relevant period. However, if the ALJ's recommendation that the deficiency described under Tag F325 be deleted is a recommendation that the Agency amend Form 2567, the Agency

does not have the authority to amend this form. Based on a complete review of the record, this part of the recommendation is rejected. It is also clear, however, that the deficiency described under this tag was not established by the Agency at hearing.

DONE and ORDERED this 14 day of March, 2003, in
Tallahassee, Florida.



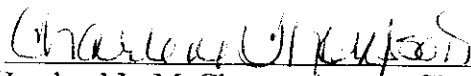
RHONDA M. MEDOWS, MD., SECRETARY
Agency for Health Care Administration

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 14 day of March, 2003.


cc Lealand L. McCharen, Agency Clerk
Agency for Health Care Administration
2727 Mahan Drive, Building 3
Tallahassee, FL 32308-5403

COPIES FURNISHED TO:

Daniel Manry
Administrative Law Judge
Division of Administrative Hearings
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