

10-14-02

Final Order No. DOH-03-0074- FoF-MQA

FILED DATE - 1/14/03

Department of Health

By: Vicki R. Kenan  
Deputy Agency Clerk

STATE OF FLORIDA  
BOARD OF NURSING

AT

DEPARTMENT OF HEALTH

Petitioner,

vs.

MARIE DARIUS,

Respondent.

DOAH Case No. 02-1645 PL

Case No. 2001-17381

License No. 1093589220663

FSR - closed

FILED  
JAN 16 AM 2:34  
CLERK OF THE BOARD

**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 December 13, 2002, in Jacksonville, 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 Amy M. Pietrodangelo. The Respondent was not present at the Board meeting nor did anyone appear on her behalf..

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, 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 480, 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** that this matter is hereby **DISMISSED**.

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

**DONE AND ORDERED** this 10 day of January, 2003.

**BOARD OF NURSING**



Dan Coble  
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: MARIE DARIUS, 6900 116<sup>th</sup> Street, Miami, Florida 33168; Ron Cordon, Esquire, 335 NW 54<sup>th</sup> Street, Miami, Florida 33127; and Florence Snyder Rivas, Administrative Law Judge, Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550; and by inter-office mail to Amy Pietrodangelo, Senior Attorney, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265; and Pamela Page, Senior Attorney, Department of Health, 4052 Bald Cypress Way, Bin C-65, Tallahassee, Florida 32399-3265; and Edward A. Tellechea, Senior Assistant Attorney General, Office of the Attorney General, PL-01, The Capitol, Tallahassee, Florida 32399-1050; on this 14<sup>th</sup> day of January, 2003.

*Marie Boyett*