

9-8-03

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

**FILED**  
AGENCY FOR  
HEALTH CARE ADMINISTRATION  
DEPUTY CLERK  
CLERK  
DATE May 21/04

HARDY L. PASCHAL,  
Petitioner,

AT

DOAH CASE NO. 02-2690MPI  
AHCA CASE NO. C.I. 01-0587-000/4-EGS  
RENDITION NO. AHCA-04-0294-FOFALD

vs.

AGENCY FOR HEALTH CARE  
ADMINISTRATION,  
Respondent.

CA-CLW

DIVISION OF ADMINISTRATIVE HEARINGS  
MAY 21 PM 2:23

**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 8, 2003, is attached to this Final Order and incorporated herein by reference.

**RULING ON EXCEPTIONS**

No exceptions were filed.

**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, Petitioner, Hardy L. Paschal shall repay the Agency Medicaid overpayments in the amount of \$39,797.35 plus interest at the statutory rate as provided in Section 409.913, Fla. Stat. Such payment shall be made

in full within thirty (30) days of the rendition of this final order. Petitioner shall pay by check payable to Agency for Health Care Administration, and mailed to the Agency for Health Care Administration, Office of Finance and Accounting, 2727 Mahan Drive, Fort Knox Building 2, Mail Stop 14, Tallahassee, Florida 32308.

**DONE and ORDERED** in DOAH Case No. 02-2690MPI this 11<sup>th</sup> day of

May, 2004, in Tallahassee, Florida.

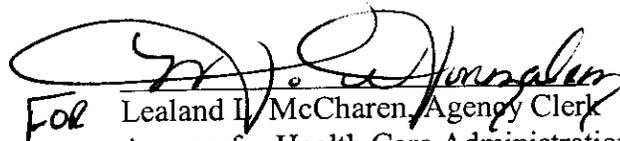
  
\_\_\_\_\_  
MARY PAT MOORE, INTERIM SECRETARY  
Agency for Health Care Administration

#### 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 21 day of May, 2004.

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

COPIES FURNISHED TO:

Claude B. Arrington  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, FL 32399-3060

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Timothy Byrnes  
Medicaid Program Integrity

~~Kelly Bennett~~ *CT*  
~~Assistant Bureau Chief~~  
~~Medicaid Program Integrity~~

John Hoover  
Medicaid Finance and Accounting