

11-3-03

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AGENCY FOR
HEALTH CARE ADMINISTRATION
DEPUTY CLERK

AGENCY FOR HEALTH CARE
ADMINISTRATION,

AT

CLERK

DATE March 5 2004

Petitioner,

DOAH CASE NO. 03-2530MPI

REM-CWS

AHCA NO. C.I. 99-0779-000

RENDITION DIVISION OF ADMINISTRATIVE HEARINGS

vs.

LOVE AND CARE PHARMACY,

FILED
Date 3-5-04

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 November 3, 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, Respondent, Love and Care Pharmacy shall remit Medicaid overpayments in the amount of \$1,096,489.77, plus statutory interest, in Medicaid overpayment reimbursement to the Agency for Health

Care Administration. Such payment shall be made in full within thirty (30) days of the rendition of this final order.

DONE and ORDERED in DOAH Case No. 99-0779-000 MPI this 26th day of FEBRUARY, 2004, in Tallahassee, Florida.

for Mary Pat Moore
RHONDA M. MEDGOWS, M.D., 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 5 day of March, 2004.

for M. Gonzalez
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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