

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

**FILED**

ANCA  
AGENCY CLERK

2008 FEB -7 A 11:46

2008 FEB -5 P 4:16

DIVISION OF  
ADMINISTRATIVE

**COVENANT HOSPICE, INC.,**

**Petitioner,**

**DOAH Case No. 07-1657CON**

**AHCA No. 2007003715**

**vs.**

**CON No. 9971**

**STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION and  
REGENCY HOSPICE OF NORTHWEST  
FLORIDA, INC.,**

**Respondents.**

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**FINAL ORDER**

THIS CAUSE comes before the AGENCY FOR HEALTH CARE ADMINISTRATION (the "Agency") concerning Certificate of Need ("CON") Application No. 9971, filed by REGENCY HOSPICE OF NORTHWEST FLORIDA, INC. (hereinafter "Regency") in the Second Batching Cycle of 2006, requesting a CON to establish a hospice program, which application was approved.

Thereafter, Covenant Hospice, Inc. (hereinafter "Covenant"), an existing provider, timely filed at the Division of Administrative Hearings ("DOAH") a Petition for Administrative Hearing with respect to the approval. Non-approved applicants also filed petitions challenging Regency's initial approval.

On August 27, 2007, Covenant filed its voluntary dismissal of the DOAH case.

On August 27, 2007, an Order Closing File was issued by DOAH as a result of the voluntary dismissal.

It is therefore **ORDERED** and **ADJUDGED**:

1. The voluntary dismissal by Covenant and the Order Closing File by DOAH are hereby acknowledged and accepted.
2. CON Application No. 9971, which was initially approved by AHCA, remains in litigation.
3. The above-styled case is hereby closed.

**DONE and ORDERED** this 4 day of February,  
2008, in Tallahassee, Florida.



ANDREW C. AGWUNOBI, 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<sup>th</sup> day of February, 2008.



RICHARD J. SHOOP, Agency Clerk  
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**COPIES FURNISHED TO:**

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