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DIVISION OF
ADMINISTRATIVE
HEARINGS



REPRESENTING
ALEX SINK
CHIEF FINANCIAL OFFICER
STATE OF FLORIDA

FILED

SEP 29 2008

Docketed by: REH

IN THE MATTER OF:
SOUTHERN INSIGHT, INC.

Case No. 92340-07-WC

FINAL ORDER

This cause came on for consideration of and final agency action on the Recommended Order issued herein by Administrative Law Judge Ella Jane P. Davis (ALJ) on July 1, 2008, after a formal hearing conducted pursuant to Section 120.57(1), Florida Statutes. No exceptions were filed.

After review of the record, including the transcript of proceedings and admitted exhibits, and being otherwise fully apprised in all material premises,

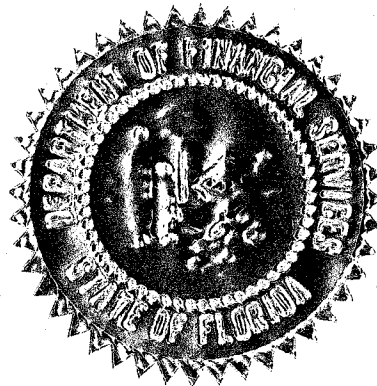
IT IS HEREBY ORDERED that the Findings of Fact made by the Administrative Law Judge are adopted as the Department's Findings of Fact, and that the Conclusions of Law reached by the Administrative Law Judge are adopted as the Department's Conclusions of Law.

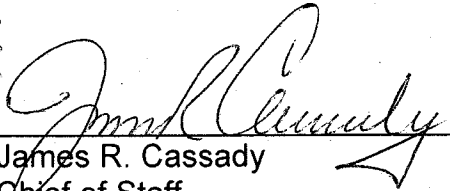
IT IS HEREBY FURTHER ORDERED that the ALJ's Recommendation to recalculate the penalty is adopted by the Department, and that the Respondent, Southern Insights, Inc., shall pay to the Department the sum of \$1,674.74 within thirty days from the date hereof. However, after a review of the complete record, the ALJ's recommendation that the Respondent be allowed to unilaterally remand this matter to DOAH after entry of a Final Order to question the Department's recalculation of the penalty is rejected. No provision of Chapter 120, Fla. Stat., provides a Respondent with

the right to such a unilateral remand. The only legal procedure available to Respondent following entry of a Final Order is prescribed by Section 120.68, Fla. Stat, which authorizes an appeal to the appropriate district court, but not a remand to DOAH. Nothing in the record shows otherwise.

IT IS HEREBY FURTHER ORDERED that the Stop Work Order and Amended Order of Penalty Assessment entered by the Division of Workers' Compensation is affirmed, and that the Respondent, Southern Insight, Inc., shall cease all business operations unless and until it provides evidence satisfactory to the Division of Workers' Compensation of having now complied with the workers' compensation law by securing the necessary workers' compensation insurance coverage for covered employees and, pursuant to Section 440.107(7)(a), Florida Statutes, paying the civil penalty imposed herein.

DONE AND ORDERED this 29th day of September, 2008.




James R. Cassady
Chief of Staff

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the agency clerk, at 612 Larson Building, Tallahassee, Florida, and a copy of the same with the appropriate district court of appeal within thirty (30) days of rendition of this Order.

Copies to:

Anthony B. Miller, Esq.
Department of Financial Services
200 East Gaines Street
Tallahassee, Florida 32399-4299

Ella Jane P. Davis,
Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060