

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

2012 FEB 21 A 10:59

SOUTH DADE ELDERLY CARE CORP.,  
d/b/a HOME SWEET HOME NO. 2,

Petitioner,

v.

DOAH No. 10-0019  
AHCA No. 2009013367

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Respondent.

**FINAL ORDER**

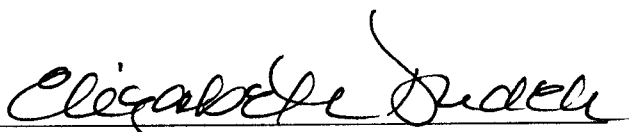
Having reviewed the Notice of Intent to Deny (hereinafter "NOID"), and all other matters of record, the Agency for Health Care Administration finds and concludes as follows:

1. The Agency has jurisdiction over the above-named Petitioner pursuant to Chapter 408, Part II, Florida Statutes, and the applicable authorizing status and administrative code provisions.
2. The Agency issued the attached NOID and Elections of Rights form to the Petitioner with respect to its license renewal application. (Ex. A) The Election of Rights form advised of the right to an administrative hearing. The Petitioner received the NOID and timely filed the Election of Rights form with the Agency Clerk. (Ex. B)
3. On September 30, 2011, the Agency filed a motion to dismiss with the Agency Clerk, citing the mootness of the NOID due to the revocation of the underlying assisted living facility license. (Ex. C) The Agency Clerk granted the motion and directed the entry of a final order. (Ex. D)

Based upon the foregoing, it is **ORDERED**:

1. The Agency's NOID is withdrawn as moot due to the revocation of the underlying license to operate the assisted living facility in question.

**ORDERED** in Tallahassee, Florida, on this 17 day of February, 2012.

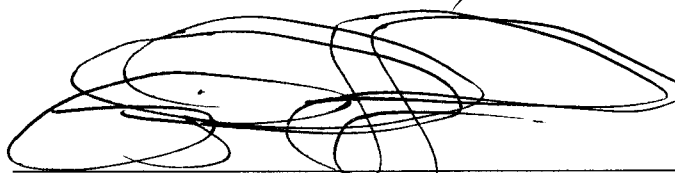
  
Elizabeth Dudek, Secretary  
Agency for Health Care Administration

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

A party that is adversely affected by this Final Order is entitled to seek judicial review which shall be instituted by filing one copy of a notice of appeal with the agency clerk of AHCA, and a second copy, along with filing fee as 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 of proceedings shall be conducted in accordance with the Florida appellate rules. The notice of appeal must be filed within 30 days of rendition of the order to be reviewed.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of this Final Order was served on the below-named persons/entities by the method designated on this 21<sup>st</sup> day of February, 2012.



Richard Shoop, Agency Clerk  
Agency for Health Care Administration  
2727 Mahan Drive, Mail Stop #3  
Tallahassee, Florida 32308-5403  
Telephone (850) 412-3630

Jan Mills Facilities Intake Unit Agency for Health Care Administration (Interoffice Mail)	Shaddrick Haston, Unit Manager Assisted Living Facility Unit Agency for Health Care Administration (Interoffice Mail)
Tria Lawton-Russell Office of the General Counsel Agency for Health Care Administration (Interoffice Mail)	John D.C. Newton, II Administrative Law Judge Division of Administrative Hearings (Electronic Mail)
Lawrence Bessser, Esquire Samek and Besser 1200 Brickell Avenue, No. 1950 Miami, Florida 33131 (U.S. Mail)	