

**STATE OF FLORIDA  
DEPARTMENT OF HEALTH**

By: Angela Brito  
Deputy Agency Clerk

**Eron D. McClendon,**  
Petitioner,

vs.

DOAH no.: 09-3482

**Department of Health,  
Bureau of Radiation Control,**  
Respondent.

FILED  
2010 FEB -2 A 11:04  
DIVISION OF  
ADMINISTRATIVE  
HEARINGS

**FINAL ORDER**

This is a section 120.57(1) adjudicatory proceeding, and a recommended order of the assigned Administrative Law Judge is before the Department of Health (hereinafter the Department) for consideration. The issue is whether the Petitioner's application for certification by examination as a "Basic X-Ray Machine Operator" should be approved. The Department's "Notice of Intent to Deny" and "Amended Notice of Intent to Deny" are incorporated by reference as exhibits B and C, respectively.

The Administrative Law Judge recommends that the application be denied. I concur. Accordingly, the recommended order of December 29, 2009, is adopted and incorporated by reference as exhibit A.

Based on the foregoing, the Petitioner's application for certification by examination as a "Basic X-Ray Machine Operator" is denied.

**DONE and ORDERED** this 28 day of January 2010 in Tallahassee, Leon County, Florida.

**Ana M. Viamonte Ros, M.D., M.P.H.  
State Surgeon General**

By: Kimberly A. Berfield  
Kimberly A. Berfield  
Deputy Secretary

**NOTICE**

A PARTY ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE RULES OF APPELLATE PROCEDURE. JUDICIAL REVIEW IS COMMENCED BY FILING A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF HEALTH AND A COPY ACCOMPANIED BY THE FILING FEE WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES OR THE FIRST DISTRICT COURT OF APPEAL. A NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF THE FILING DATE OF THIS FINAL ORDER.

Copy furnished to each of the following:

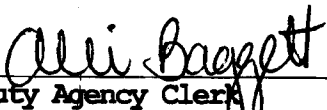
William F. Quattlebaum	Donna Erlich, Esquire
Administrative Law Judge	Department of Health
Division of Administrative Hearings	4052 Bald Cypress Way, bin A-02
1230 Apalachee Parkway	Tallahassee, Florida 32399-1741
Tallahassee, Florida 32399-3060	

James A. Futch	C. Erica White, Esquire
Department of Health	Quintairos Prieto Wood & Boyer
Bureau of Radiation Control	215 S. Monroe Street, suite 510
4052 Bald Cypress Way, bin C-21	Tallahassee, Florida 32301
Tallahassee, Florida 32399-1741	

Vicki Grant  
Department of Health  
Radiologic Technology Office  
4052 Bald Cypress Way, bin C-85  
Tallahassee, Florida 32399-3285

**CERTIFICATE OF SERVICE**

I certify that a copy of this FINAL ORDER has been served by ordinary mail via the United States Postal Service, inter-office mail, electronic transmission, or hand delivery to each of the above-named persons this 1 day of February 2010.

  
Deputy Agency Clerk  
Department of Health  
4052 Bald Cypress Way, bin C-01  
Tallahassee, Florida 32399-3251  
phone: (850) 245-4121