

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

FILED  
AHCA  
AGENCY CLERK

2010 MAY -7 A 8:28

SHANDS TEACHING HOSPITAL AND  
CLINICS, INC. d/b/a SHANDS  
REHAB HOSPITAL,

Petitioner,

DOAH CASE NO.:09-3966CON  
AHCA CASE NO.: 2009008293  
CON NO. 10048

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION  
and HEALTHSOUTH REHABILITATION  
HOSPITAL OF OCALA, LLC,

Respondents.

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LEESBURG REGIONAL MEDICAL  
CENTER, INC.,

Petitioner,

DOAH CASE NO. 09-3967CON  
AHCA CASE NO.: 2009008291  
CON NO. 10048

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION  
and HEALTHSOUTH REHABILITATION  
HOSPITAL OF OCALA, LLC,

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. 10048, which was filed by SHANDS TEACH HOSPITAL AND CLINICS, INC. d/b/a SHANDS REHAB HOSPITAL (hereinafter "Shands"), LEESBURG REGIONAL MEDICAL CENTER, INC. (hereinafter "Leesburg") and

HEALTHSOUTH REHABILITATION HOSPITAL OF OCALA, LLC ("hereinafter "HealthSouth" in the First Batching Cycle of 2009 request a CON to establish a comprehensive medical rehabilitation hospital. The Agency preliminarily approved HealthSouth Rehabilitation Hospital of Ocala, LLC application for CON 10048, thus denying the applications of Shands and Leesburg Cycle of 2009.

Thereafter, Shands and Leesburg timely filed Petitions for Formal Administrative Hearing with respect to the preliminary approval of HEALTHSOUTH'S application, which the Agency Clerk forwarded to the Division of Administrative Hearings ("DOAH").

On March 16, 2010, HealthSouth filed a Notice of Voluntary Dismissal withdrawing its CON application. The Notice of Voluntary Dismissal is attached hereto as Exhibit A.

On March 17, 2010, DOAH issued an Order Closing Files as a result of the voluntary dismissal.

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

1. The voluntary dismissal by HealthSouth and the withdrawal of its CON application are hereby acknowledged and accepted.
2. The above-styled cases are hereby closed.

**DONE and ORDERED** this 5<sup>th</sup> day of May, 2010,  
in Tallahassee, Florida.


  
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THOMAS W. ARNOLD, 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 7<sup>th</sup> day of May, 2010.



\_\_\_\_\_  
RICHARD J. SHOOP, Agency Clerk  
Agency for Health Care Administration  
2727 Mahan Drive, Mail Stop #3  
Tallahassee, Florida 32308  
(850) 412-3630

COPIES FURNISHED TO:

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