

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

2010 JAN -7 A 10:25

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

DOAH Case No.: 09-6042MPI

Provider No.: 679389496

C.I. No.: 10-9856-000

CLAUDIA EASTER WSC,

Respondent.

FINAL ORDER

THIS CAUSE came before me for issuance of a Final Order on a Final Audit Report ("FAR") dated October 2, 2009 (C.I. No. 10-9856-000). By the Final Audit Report, the Agency for Health Care Administration ("AHCA" or "Agency"), informed the Respondent, Claudia Easter WSC, (hereinafter "PROVIDER"), that the Agency was seeking to recover a fine sanction of \$1,000.00 pursuant to Sections 409.913(15), (16), and (17), Florida Statutes, and Rule 59G-9.070, Florida Administrative Code and a Corrective Action Plan in the form of provider education. The Final Audit Report provided full disclosure and notice to the PROVIDER of procedures for requesting an administrative hearing to contest the sanction.

The PROVIDER filed a petition with the Agency requesting a formal administrative hearing on or about October 23, 2009. The Agency forwarded PROVIDER'S hearing request to the Division of Administrative Hearings ("DOAH") for a formal administrative hearing. On November 11, 2009, the PROVIDER filed a letter with the Agency, requesting withdrawal of her Petition for Formal Hearing. The Agency

filed a motion with DOAH requesting that jurisdiction be relinquished to AHCA for the purpose of accepting the withdrawal and issuance of a final order. DOAH closed its file and relinquished jurisdiction to AHCA on November 18, 2009.

FINDINGS OF FACT

The PROVIDER received the FAR that gave notice of PROVIDER'S right to an administrative hearing regarding the fine. The PROVIDER filed a petition requesting an administrative hearing, and then caused that petition to be WITHDRAWN and the administrative hearing case to be CLOSED. PROVIDER chose not to dispute the facts set forth in the Final Agency Audit Report dated October 2, 2009. The facts alleged in the FAR are hereby deemed admitted. The Agency hereby adopts the facts as set forth in the FAR, including the fine amount of \$1,000.00 and the requirement to complete a corrective action plan in the form of provider education, which is now due and owing, from PROVIDER to the Agency.

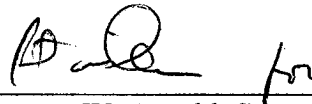
CONCLUSIONS OF LAW

The Agency incorporates and adopts each and every relevant statement and conclusion of law set forth in the Final Agency Audit Report dated October 2, 2009. The admitted facts support the legal conclusion that the fine in the amount of \$1,000.00 is now due and owing from PROVIDER to the Agency, and that the provider is required to complete a provider education course within 30 days of the issuance of this order and submit proof of compliance with the corrective action plan within 90 days of issuance of this order.

Based on the foregoing, it is

ORDERED AND ADJUDGED that PROVIDER remit, forthwith, the sum of \$1,000.00 and that the provider complete a provider education course within 30 days of the issuance of this order and submit proof of compliance with the corrective action plan within 90 days of issuance of this order. The Provider's request for an administrative hearing is hereby **DISMISSED**.

DONE AND ORDERED this 5th day of January, ²⁰¹⁰~~2009~~, in
Tallahassee, Florida.



Thomas W. Arnold, Secretary
Agency for Health Care Administration

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO A 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 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.

Copies Furnished to:

Claudia Easter WSC
11641 Nature Trail
Port Richey, Florida 34668

Ken Yon, Chief
Agency for Health Care Administration
Medicaid Program Integrity
2727 Mahan Drive, Tallahassee, Florida
(Interoffice)

Peter Williams, Inspector General
Agency for Health Care Administration
2727 Mahan Drive, Tallahassee, Florida
(Interoffice)

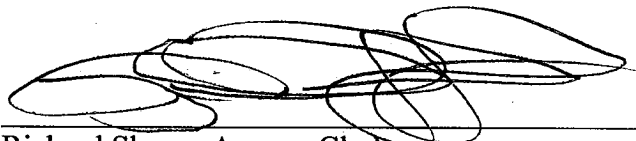
Kelly A. Bennett
Assistant General Counsel
Agency for Health Care Administration
(Interoffice)

Finance & Accounting
(Interoffice)

Agency for Persons with Disabilities

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served to the above named addresses by U.S. Mail or interoffice mail this 7th day of January, 2009¹⁰.



Richard Shoop, Agency Clerk
Agency for Health Care Administration
2727 Mahan Drive, Mail Stop #3
Tallahassee, Florida 32308-5403
(850) 922-5873