

Final Order No. DOH-10-2298 ^{FD}-MOA
FILED DATE - 10-07-10
Department of Health

FILED

STATE OF FLORIDA
DEPARTMENT OF HEALTH

By: Angela Sanders
Deputy Agency Clerk

DIVISION OF
ADMINISTRATIVE
HEARINGS

7 A 10:53

Life Worth Living Foundation,
Inc.,
Petitioner,

vs.

DOAH no.: 10-0042

Department of Health; Drugs,
Devices, & Cosmetics Program;
Respondent.

FINAL ORDER

This proceeding was initiated by a "Petition for Review of Agency Action" responding to the Department of Health's intent to deny the Petitioner's application for a permit to operate as a retail pharmacy prescription drug wholesale distributor. See **Florida Drug and Cosmetic Act**, Chapter 499, Part I, Florida Statutes. Notice of the intent to deny was given to the Petitioner by Department of Health's letter of November 13, 2009, which is marked as exhibit A and incorporated by reference.

This matter was referred to the Division of Administrative Hearings for an adjudicatory proceeding pursuant to section 120.57(1), Florida Statutes. The Administrative Law Judge (hereinafter the ALJ) has entered a recommended order, and returned this matter to the Department of Health (hereinafter the Department) for disposition. The ALJ recommends that the permit application be denied; I concur. The recommended order entered September 1, 2010, is adopted and incorporated by reference as exhibit B.

Based on the foregoing, the application of the Petitioner for a permit to operate as a retail pharmacy prescription drug wholesale distributor is denied. This proceeding is closed.

DONE and **ORDERED** this 5 day of October 2010 in Tallahassee, Leon County, Florida.

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

By: 

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. A REVIEW PROCEEDING IS GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. A REVIEW PROCEEDING 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. THE NOTICE MUST BE FILED WITHIN 30 DAYS OF THE FILING DATE OF THIS FINAL ORDER.

Copy furnished to each of the following:

Daniel M. Kilbride
Administrative Law Judge
Division of Administrative Hearings
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Attorney at Law
250 North Orange Avenue, suite 550
Orlando, Florida 32801

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing FINAL ORDER has been sent by first class mail via the United States Postal Service, inter-office mail, electronic transmission, or by hand delivery to each of the above-named persons this 10 day of October 2010.



Deputy Agency Clerk
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Tallahassee, Florida 32399-3251
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