

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

2010 MAY 27 A 10:59

STATE OF FLORIDA,  
AGENCY FOR HEALTH CARE  
ADMINISTRATION,

Petitioner,

v.

FORT MYERS ENDOSCOPY, LLC,

Respondent.

CASE NOS: 10-1583  
2010001756

RENDITION NO.: AHCA-10-0624-S-OLC

FINAL ORDER

Having reviewed the amended administrative complaint dated February 17, 2010, attached hereto and incorporated herein (Ex. 1), and all other matters of record, the Agency for Health Care Administration ("Agency") has entered into a Settlement Agreement (Ex. 2) with the other party to these proceedings, and being otherwise well-advised in the premises, finds and concludes as follows:

ORDERED:

1. The attached Settlement Agreement is approved and adopted as part of this Final Order, and the parties are directed to comply with the terms of the Settlement Agreement.

2. Respondent shall pay an administrative fine in the amount of Seven Thousand Five Hundred Dollars (\$7500.00). The administrative fine is

due and payable within thirty (30) days of the date of rendition of this Order.

3. Checks should be made payable to the "Agency for Health Care Administration." The check, along with a reference to these case numbers, should be sent directly to:

Agency for Health Care Administration  
Office of Finance and Accounting  
Revenue Management Unit  
2727 Mahan Drive, MS# 14  
Tallahassee, Florida 32308

4. Unpaid amounts pursuant to this Order will be subject to statutory interest and may be collected by all methods legally available.

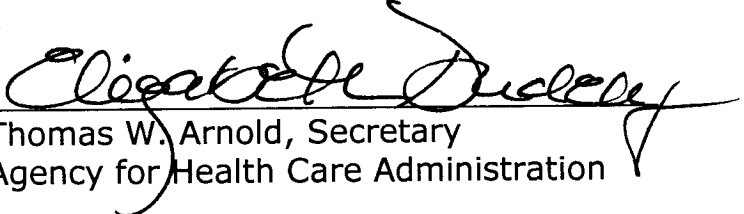
5. Respondent's petition for formal administrative proceedings is hereby dismissed.

6. Each party shall bear its own costs and attorney's fees.

7. The above-styled cases are hereby closed.

**DONE** and **ORDERED** this 26 day of May, 2010,

in Tallahassee, Leon County, Florida.

  
Thomas W. Arnold, Secretary  
Agency for Health Care Administration

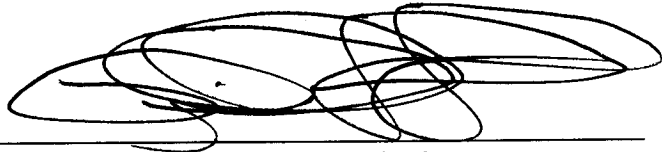
A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A SECOND COPY, ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT 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.

Copies furnished to:

<p>Ashley Withers          Attorney for the Respondent          Wicker, Smith, O'Hara, McCoy &amp;          Ford, P.A.          9128 Strada Place, Suite 10200          Naples, Florida 34108          (U. S. Mail)</p>	<p>Mary Daley Jacobs          Assistant General Counsel          Agency for Health Care          Administration          2295 Victoria Avenue, Room 346C          Fort Myers, Florida 33901          (Interoffice Mail)</p>
<p>Finance &amp; Accounting          Agency for Health Care Admin.          Revenue Management Unit          2727 Mahan Drive, MS #14          Tallahassee, Florida 32308          (Interoffice Mail)</p>	<p>William F. Quattlebaum          Administrative Law Judge          Division of Administrative Hearings          The DeSoto Building          1230 Apalachee Parkway          Tallahassee, Florida 32399          (U.S. Mail)</p>
<p>Jan Mills          Agency for Health Care          Administration          2727 Mahan Drive, Bldg #3, MS #3          Tallahassee, Florida 32308          (Interoffice Mail)</p>	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order was served on the above-named person(s) and entities by U.S. Mail, or the method designated, on this the 27<sup>th</sup> day of May, 2010.



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