

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FILED
AHCA
AGENCY CLERK

ODYSSEY HEALTHCARE OF COLLIER
COUNTY, INC. d/b/a ODYSSEY
HEALTHCARE OF CENTRAL FLORIDA,

2010 AUG 27 P 12: 59

Petitioner,

DOAH CASE NO.: 10-1681CON
AHCA CASE NO.: 2010003089
CON NO.: 10071

vs.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION;
FLORIDA HOSPITAL HOSPICECARE;
AND UNITED HOSPICE OF FLORIDA,
INC.,

Respondents.

FINAL ORDER

THIS CAUSE comes before the AGENCY FOR HEALTH CARE ADMINISTRATION (the "Agency") concerning co-batched Certificate of Need ("CON") Application Nos. 10069 – 10072 seeking to establish a new hospice program in Orange County, District 7/B.

ODYSSEY HEALTHCARE OF COLLIER COUNTY, INC. d/b/a ODYSSEY HEALTHCARE OF CENTRAL FLORIDA (hereinafter "Odyssey Healthcare") filed CON Application No. 10071 in the Second Batching Cycle of 2009. The application was denied.

Thereafter, Odyssey Healthcare timely filed a Petition for Formal Administrative Hearing with respect to its denial. The Petition was

forwarded by the Agency Clerk to the Division of Administrative Hearing ("DOAH").

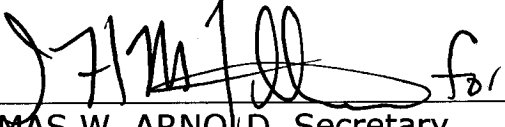
On June 8, 2010, Odyssey Healthcare filed its voluntary dismissal of the DOAH Case No. 10-1681CON (Ex. 1).

On June 9, 2010, an Order Severing DOAH Case No. 10-1681CON (Ex. 2) and an Order Closing file (Ex. 3) were issued by DOAH as a result of Odyssey Healthcare's voluntary dismissal.

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

1. The voluntary dismissal by Odyssey Healthcare is hereby acknowledged and accepted.
2. CON Application No. 10071 is hereby denied.
3. The above-styled case is hereby closed.

DONE and ORDERED this 27th day of August, 2010, in Tallahassee, Florida.



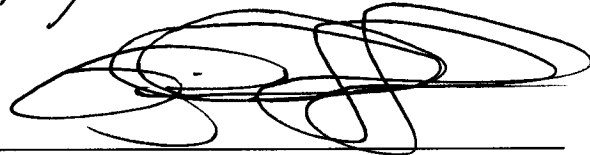
THOMAS W. ARNOLD, Secretary
AGENCY FOR HEALTH CARE ADMINISTRATION

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 27th day of August, 2010.



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

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