

**STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION**

FILED
2010 NOV -4 A 11:48

FILED
AHCA
AGENCY CLERK
2010 NOV -3 A 11:02

**STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,** DIVISION OF
ADMINISTRATIVE
HEARINGS

Petitioner,

v.

AHCA No.: 2010001995

DOAH No.: 10-2794

RENDITION NO.: AHCA-10-1167 -S-OLC

**ARC DELRAY BEACH, LLC d/b/a
HOMWOOD RESIDENCE AT DELRAY
BEACH,**

Respondent.

FINAL ORDER

Having reviewed the administrative complaint dated April 20, 2010, attached hereto and incorporated herein (Exhibit 1), and all other matters of record, the Agency for Health Care Administration ("Agency") has entered into a Settlement Agreement (Exhibit 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 \$7,500.00. The administrative fine is due and payable within thirty (30) days of the date of rendition of this Order.

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

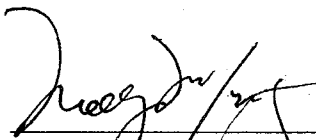
Agency for Health Care Administration
Office of Finance and Accounting
Revenue Management Unit
2727 Mahan Drive, MS #14
Tallahassee, Florida 32308

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

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

6. The above-styled case is hereby closed.

DONE and **ORDERED** this 2 day of November, 2010,
in Tallahassee, Leon County, Florida.



Elizabeth Dudek, Interim Secretary
Agency for Health Care Administration

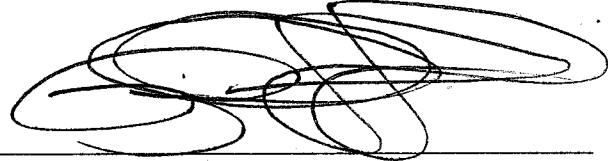
A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A SECOND COPY, ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT 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>Stacey E. Meyer, Esq. Corporate Counsel Brookdale Senior Living Inc. 6737 W. Washington Street Suite 2300 Milwaukee, Wisconsin 53214 (U. S. Mail)</p>	<p>Lourdes A. Naranjo, Esq. Assistant General Counsel Agency for Health Care Administration 8350 N. W. 52 Terrace - Suite 103 Miami, Florida 33166 (Interoffice Mail)</p>
<p>Finance & Accounting Agency for Health Care Administration 2727 Mahan Drive, MS #14 Tallahassee, Florida 32308 (Interoffice Mail)</p>	<p>John D. C. Newton, II Administrative Law Judge Division of Administrative Hearings 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>	<p>Unit Manager Assisted Living Facility Unit Program Agency for Health Care Administration 2727 Mahan Drive 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 3rd day of November, 2010.



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