

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

FILED  
AHCA  
AGENCY CLERK

2010 DEC 15 A 8:01

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

**Petitioner,**

**CASE NO: 2009011619**

**10-7470**

**v.**

RENDITION NO.: AHCA-10- 1374 -S-OLC

**GENTIVA HEALTH SERVICES (CERTIFIED),  
INC. d/b/a GENTIVA HEALTH SERVICES,**

**Respondent.**

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FINAL ORDER

Having reviewed the administrative complaint dated July 7, 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 Three Thousand Dollars (\$3,000). 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

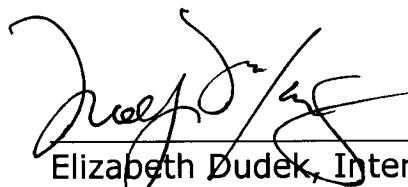
4. Unpaid fines pursuant to this Order will be subject to statutory interest and may be collected by all methods legally available.

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 14 day of December, 2010,  
in Tallahassee, Leon County, Florida.



Elizabeth Dudek, Interim Secretary  
Agency for Health Care Administration

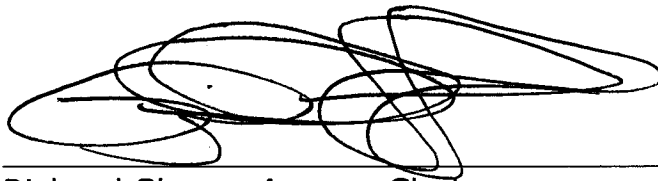
A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A SECOND COPY, ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT 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>Toni H. Burgess, Esq.          Attorney for Respondent          3350 Riverwood Parkway, Suite 1400          Atlanta, Georgia 30339          (U. S. Mail)</p>	<p>Andrea M. Lang, Senior Attorney          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          Administration          Revenue Management Unit          2727 Mahan Drive, MS #14          Tallahassee, Florida 32308          (Interoffice Mail)</p>	<p>Elizabeth W. McArthur, Esq.          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 15<sup>th</sup> day of December, 2010.

A handwritten signature in black ink, consisting of several overlapping loops and a horizontal line, positioned above a solid horizontal line.

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