

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

2011 MAY 11 A 10:38

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

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

Respondent.

DOAH No. 11-1155
Agency No. 2011000377
RENDITION NO.: AHCA-11-484 -S-OLC

FINAL ORDER

Having reviewed the Administrative Complaint dated February 22, 2011, 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 parties 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, within thirty (30) days of the date of rendition of this Order, an administrative fine in the sum of seven hundred fifty dollars (\$750.00).

3. Checks 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. The Respondent's request for an administrative proceeding is hereby withdrawn.

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

7. The above-styled case is hereby closed.

DONE and **ORDERED** this 11 day of May, 2011,

in Tallahassee, Leon County, Florida.



Elizabeth Dudek, Secretary
Agency for Health Care Administration

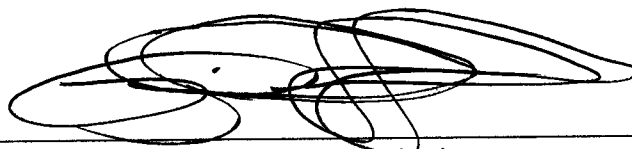
A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A SECOND COPY, ALONG WITH FILING FEE AS PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT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

Toni H. Burgess, Esq. Counsel for Gentiva Health Services (Certified), Inc. 3350 Riverwood Parkway Suite 1400 Atlanta, Georgia 30339 (U.S. Mail)	Thomas F. Asbury, Senior Attorney Agency for Health Care Admin. 525 Mirror Lake Drive N. #330 St. Petersburg, Florida 33701 (Interoffice Mail)
Jan Mills Agency for Health Care Admin. 2727 Mahan Drive, Bldg #3, MS #3 Tallahassee, Florida 32308 (Interoffice Mail)	Agency for Health Care Admin. Office of Finance and Accounting Revenue Management Unit 2727 Mahan Drive, MS #14 Tallahassee, Florida 32308 (Interoffice Mail)
J. D. Parrish Administrative Law Judge Division of Administrative Hearings 1230 Apalachee Parkway Tallahassee, Florida 32399 (Interoffice Mail)	

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 11th day of May, 2011.



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