

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

2011 DEC -1 A 9:56

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

JAIRO'S MEDICAL EQUIPMENT,  
INC.,

Respondent.

DOAH CASE NO. 11-2897MPI

AUDIT NO. C.I. 11-3497-000

RENDITION NO.: AHCA-11- 1260 -FOF-MDO

**FINAL ORDER**

This case was referred to the Division of Administrative Hearings (DOAH) where the assigned Administrative Law Judge (ALJ), Jessica Varn, issued a Recommended Order after conducting a formal hearing. At issue in this proceeding is whether Respondent violated Section 409.913, Florida Statutes, by failing to retain required Medicaid records and by failing to provide the required training prior to setting up medical equipment. The Recommended Order dated October 7, 2011, is attached to this Final Order and incorporated herein by reference.

**RULING ON EXCEPTIONS**

The parties did not file any exceptions to the Recommended Order.

**FINDINGS OF FACT**

The Agency adopts the findings of fact set forth in the Recommended Order.


**CONCLUSIONS OF LAW**

The Agency adopts the conclusions of law set forth in the Recommended Order.

**IT IS THEREFORE ADJUDGED THAT:**

Respondent committed two of the seven violations alleged by the Agency in its May 3, 2011 sanction letter. A fine of \$2,000 is hereby imposed on the Respondent. Respondent shall make full payment of the fine to the Agency for Health Care Administration within 30 days of the rendition of this Final Order unless other payment arrangements have been agreed to by the parties. Respondent shall pay by check payable to the Agency for Health Care Administration and mailed to the Agency for Health Care Administration, Office of Finance and Accounting, 2727 Mahan Drive, Fort Knox Building 2, Mail Stop 14, Tallahassee, Florida 32308.

DONE and ORDERED this 30 day of November, 2011, in Tallahassee, Florida.

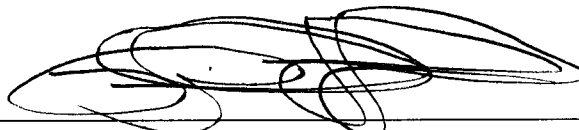
  
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ELIZABETH DUDEK, SECRETARY  
AGENCY FOR HEALTH CARE ADMINISTRATION

**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 1<sup>st</sup> day of December, 2011.



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

COPIES FURNISHED TO:

Honorable Jessica Varn  
Administrative Law Judge  
Division of Administrative Hearing  
The DeSoto Building  
1230 Apalachee Parkway  
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Henry Evans  
Finance & Accounting