

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

DONNA M. GOERNER,

Final Order No. DMS – 11-0116

Petitioner,

v.

DOAH Case No.: 11-2997

**DEPARTMENT OF MANAGEMENT
SERVICES, DIVISION OF STATE
GROUP INSURANCE,**

Respondent.

FINAL ORDER

THIS MATTER has come before the undersigned for the purpose of issuing a Final Order, in accordance with section 120.569 (l), Florida Statutes. On October 20, 2011, Administrative Law Judge Linzie F. Bogan issued a Recommended Order recommending that the Department enter a final order denying Petitioner's request for a refund of a COBRA premium payment. Neither party has filed exceptions to the Recommended Order

FINDINGS OF FACT

The Department of Management Services hereby adopts the Findings of Fact contained in the Recommended Order as its findings in this Final Order.

CONCLUSIONS OF LAW

The Department of Management Services hereby adopts the Conclusions of Law contained in the Recommended Order as its conclusions in this Final Order.

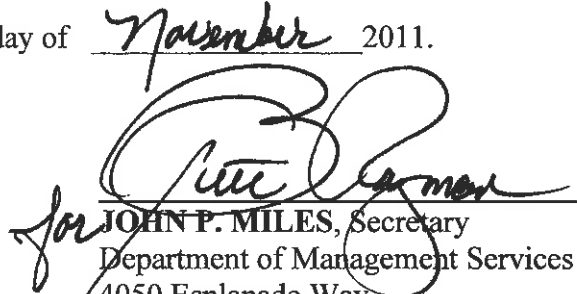
ORDERED AND ADJUDGED:

1. The Recommended Order issued in this case is adopted in its entirety and is incorporated herein by reference.

2. Based on the Findings of Fact and Conclusions of Law contained in the Recommended Order and adopted by the Department of Management Services in this Final Order, the Petitioner's request for a refund of a COBRA premium is hereby DENIED.

3. This Final Order shall become effective on the date of filing with the Agency Clerk of the Department of Management Services.

DONE AND ORDERED this 29 day of November 2011.


JOHN P. MILES, Secretary
Department of Management Services
4050 Esplanade Way
Tallahassee, Florida 32399-0950

Copies furnished to:

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Assistant General Counsel
Office of the General Counsel

NOTICE OF RIGHT TO APPEAL

Unless expressly waived by a party such as in a stipulation or in other similar forms of settlement, any party substantially affected by this final order may seek judicial review by filing an original Notice of Appeal with the Agency Clerk of the Department of Management Services, and a copy, accompanied by filing fees prescribed by law, with the Clerk of the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty (30) days of rendition of this order, in accordance with Rule 9.110, Fla. R. App. P., and section 120.68, Florida Statutes.

Certificate of Clerk:

Filed in the office of the Clerk of the
the Department of Management Services
on this 29th day of November, 2011.



Agency Clerk