

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

FILED
AHCA
AGENCY CLERK

2011 OCT 20 A 8:51

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

RSC SARASOTA HE, LLC,
d/b/a HERON EAST,

AHCA NO. 2010000836
DOAH CASE NO. 11-3315
FORMERLY CASE NO. 10-528PH
RENDITION NO.: AHCA-11- 1108-S-OLC

Respondent.

FINAL ORDER

Having reviewed the Administrative Complaint, attached and incorporated by reference, and all other matters of record, the Agency for Health Care Administration (“the Agency”) finds and concludes as follows:

FINDINGS OF FACT

1. The Agency has jurisdiction over the above-named Respondent pursuant to Chapter 408, Part II, Florida Statutes, and the applicable authorizing statutes and administrative code provisions.
2. The Agency issued the attached Administrative Complaint and Election of Rights form to the Respondent. (Ex. 1) The Election of Rights form advised of the right to an administrative hearing.
3. The parties have since entered into the attached Settlement Agreement. (Ex. 2)

Based on the foregoing, it is **ORDERED:**

1. An administrative fine of \$2,000.00 and a survey fee of \$500.00 are imposed upon the Respondent. Pursuant to Section 429.24(3)(a), Florida Statutes, one-half of the administrative fine shall be remitted to the Resident or his or her estate, and the other half of the administrative fine shall be remitted to the Agency to be deposited in the Health Care Trust Fund, to be used for the purpose specified in Section 429.18, Florida Statutes.

If full payment has been made, the cancelled check acts as receipt of payment and no further payment is required. If full payment has not been made, payment is due within 30 days of the Final Order. Overdue amounts are subject to statutory interest and may be referred to collections. A check made payable to the “Agency for Health Care Administration” and

containing the AHCA ten-digit case number should be sent to:

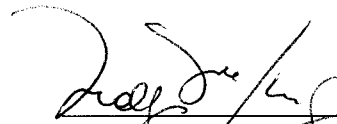
Office of Finance and Accounting
Revenue Management Unit
Agency for Health Care Administration
2727 Mahan Drive, MS 14
Tallahassee, Florida 32308

2. The Agency shall remit directly to the Resident or the Resident's estate the amounts due as follows:

A. Resident #1 - \$1,000.00

3. The above-styled case is closed.

DONE and **ORDERED** on this 19 day of October, 2011,
in Tallahassee, Leon County, Florida.



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 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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this Final Order was served on the below-named person(s) by the method designated on this 20th day of October, 2011.



Richard Shoop, Agency Clerk
 Agency for Health Care Administration
 2727 Mahan Drive, Bldg. #3, Mail Stop #3
 Tallahassee, Florida 32308-5403
 Telephone: (850) 412-3630

Copies furnished to:

Jan Mills Facilities Intake Unit Agency for Health Care Administration (Electronic Mail)	Mary Daley Jacobs, Assistant General Counsel Office of the General Counsel Agency for Health Care Administration (Electronic Mail)
Finance & Accounting Agency for Health Care Administration Revenue Management Unit (Electronic Mail)	Shaddrick Haston, Unit Manager Assisted Living Unit Agency for Health Care Administration (Electronic Mail)
William F. Quattlebaum Administrative Law Judge Division of Administrative Hearings (Electronic Mail)	Larry Mankoff, Regional Dir. of Operations RSC Sarasota HE, LLC d/b/a Heron East 1660 N.E. Miami Gardens Drive, Suite 8 North Miami Beach, Florida 33179 (U.S. Mail)
William H. Roberts, Esquire Informal Hearing Officer Agency for Health Care Administration (Electronic Mail)	