

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

2012 DEC -6 A 8:45

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

SUN STATES SERVICES, INC.,

Respondent.

DOAH CASE NO. 12-1253MPI

AUDIT NO. C.I. 10-1134-400

RENDITION NO.: AHCA-12-1169-FOF-MDO

**FINAL ORDER**

This case was referred to the Division of Administrative Hearings (DOAH) where the assigned Administrative Law Judge (ALJ), Lynne A. Quimby-Pennock, issued a Recommended Order after conducting a formal hearing. At issue in this proceeding is whether Respondent was overpaid by the Florida Medicaid program for services provided between July 1, 2005 and December 31, 2008; and whether a fine should be imposed against Respondent. The Recommended Order dated November 1, 2012, 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.<sup>1</sup>

**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.

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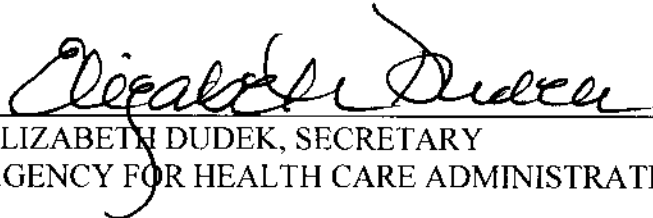
<sup>1</sup> It appears from the DOAH website that counsel for Respondent filed exceptions with DOAH. However, both Rule 28-106.217, F.A.C., and the Recommended Order itself direct the parties to file exceptions with the Agency. Thus, because the exceptions are not properly before the Agency, the Agency will not address them.

**IT IS THEREFORE ADJUDGED THAT:**

Respondent is required to repay \$15,627.50 in Medicaid overpayments, plus interest at a rate of ten (10) percent per annum as required by § 409.913(25)(c), Fla. Stat., to the Agency for paid claims covering the period from July 1, 2005 through December 31, 2008. \$1,000 fine is also imposed against Respondent.

Respondent shall make full payment of the overpayment and 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, Mail Stop 14, Tallahassee, Florida 32308.

**DONE and ORDERED** this 5 day of January 2012, in Tallahassee, 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 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 5<sup>th</sup> day of December, 2012.



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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 Lynne A. Quimby-Pennock  
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Finance & Accounting