

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

2014 AUG 11 P 3: 34

RES-CARE, INC.,

Petitioner,

CASE NO.: 13-1570MPI  
PROVIDER NO.: 0280305-01  
INVOICE NO.: NH16722

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Respondent.

\_\_\_\_\_ /

**FINAL ORDER**

This cause came before the Agency for Health Care Administration for issuance of a Final Order.

1. On March 26, 2013, the Agency sent a letter to the Petitioner notifying the Petitioner that it owed an overpayment in the amount of \$565,279.55 to the Agency based upon an adjustment in the Petitioner's overpayment rates (Exhibit A).
2. On April 16, 2013, the Petitioner filed a Petition for Formal Hearing and the Agency Clerk referred the Petition for Formal Hearing to the Division of Administrative Hearings for further proceedings.
4. On May 13, 2013, the Administrative Law Judge assigned to the case entered an Order Closing File and Relinquishing Jurisdiction based upon a Joint Motion to Relinquish Jurisdiction filed by the parties.
5. On May 23, 2014, the Agency rescinded the overpayment letter (Exhibit B).
6. The Agency's rescission of the overpayment letter has rendered this matter moot.

Based on the foregoing,

**IT IS THEREFORE ORDERED AND ADJUDGED THAT:**

Respondent's right to a hearing in this matter has been rendered moot and the Agency's May 11, 2013 overpayment letter is rescinded. The parties shall govern themselves accordingly.

**DONE AND ORDERED** this 8 day of August, 2014 in Tallahassee, Leon County, Florida.

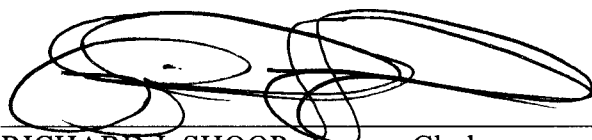
  
\_\_\_\_\_  
ELIZABETH DUDEK, SECRETARY  
AGENCY FOR HEALTH CARE ADMINISTRATION

**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 THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE AGENCY FOR HEALTH CARE ADMINISTRATION, 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 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 11<sup>th</sup> day of August, 2014.

  
\_\_\_\_\_  
RICHARD J. SHOOP, Agency Clerk  
Agency for Health Care Administration  
2727 Mahan Drive, MS #3  
Tallahassee, Florida 32308

COPIES FURNISHED TO:

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