

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

MICHAEL MOBLEY, BY AND THROUGH
HIS FATHER AND NATURAL GUARDIAN,
DAVID MOBLEY,

Petitioner,

vs.

Case No. 13-4785MTR

AGENCY FOR HEALTH CARE
ADMINISTRATION,

Respondent.

_____ /

CORRECTED SUPPLEMENTAL FINAL ORDER ON REMAND

On remand from the Florida Supreme Court, the First District Court of Appeal has directed that this case be remanded here to reduce the amount awarded to the Agency for Health Care Administration in satisfaction of its Medicaid lien to \$20,717.54, based upon the Florida Supreme Court's decision in Giraldo v. Agency for Health Care Administration, 248 So. 3d 53 (Fla. 2018). Although an earlier Supplemental Final Order on Remand was issued on January 4, 2019, that Order was premature, and void, as the Mandate from the First District Court of Appeal had not yet issued. The Mandate was issued on January 8, 2019, giving jurisdiction back to the Division of Administrative Hearings. On January 9, 2019, Petitioner timely filed an Unopposed Motion to Tax Appellate Costs in the amount of

\$1,134.00. The motion relates that the Agency for Health Care Administration has no objection to the motion. No further proceedings are necessary to carry out the direction of the First District Court of Appeal.

ORDER

1. The amount awarded to the Agency for Health Care Administration in satisfaction of its Medicaid lien in this case is reduced to \$20,717.54. The balance of the \$111,943.89 that has been held in trust, with interest on that balance, shall be delivered to Petitioner's counsel.

2. Costs in the amount of \$1,134.00 are also taxed against the Agency for Health Care Administration in favor of Petitioner, pursuant to Florida Rule of Appellate Procedure Rule 9.400(a).

DONE AND ORDERED this 15th day of January, 2019, in Tallahassee, Leon County, Florida.



F. SCOTT BOYD
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 15th day of January, 2019.

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NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing the original notice of administrative appeal with the agency clerk of the Division of Administrative Hearings within 30 days of rendition of the order to be reviewed, and a copy of the notice, accompanied by any filing fees prescribed by law, with the clerk of the District Court of Appeal in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law.