

FILED DATE DEC 15 2014

Department of Health

By Denny Agency Clerk

STATE OF FLORIDA
BOARD OF NURSING

DENISE STRALKA,

Petitioner,

vs.

DOAH Case No.: 14-3095

BOARD OF NURSING,

Respondent.

DIVISION OF
ADMINISTRATIVE HEARINGS

2015 JAN -7 AM 9:48

FILED

FINAL ORDER

THIS CAUSE came before the Board of Nursing pursuant to Sections 120.569 and 120.57(1), Florida Statutes, on December 5, 2014, in Tampa, Florida, for the purpose of considering the Administrative Law Judge's Recommended Order, a copy of which is attached hereto as Exhibit A, in the above-styled cause. Petitioner was not present and was not represented by counsel. Respondent was represented by Lee Ann Gustafson, Esquire.

Upon review of the Recommended Order, the argument of the parties, and after a review of the complete record in this case, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. The findings of fact set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
2. There is competent substantial evidence to support the findings of fact.

CONCLUSIONS OF LAW

1. The Board has jurisdiction of this matter pursuant to Section 120.57(1), Florida Statutes, and Chapter 464, Florida Statutes.
2. The conclusions of law set forth in the Recommended Order are approved and adopted and incorporated herein by reference.
3. Petitioner failed to establish that her application for licensure as a certified nursing assistant should be granted.

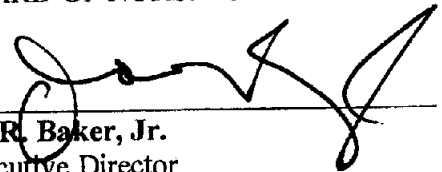
DISPOSITION

Upon a complete review of the record in this case, the Board determines that the disposition recommended by the Administrative Law Judge be ACCEPTED. WHEREFORE,

IT IS HEREBY ORDERED AND ADJUDGED that Denise Stralka's application for licensure as a certified nursing assistant is denied.

DONE AND ORDERED this 15 day of June, 2014.

BOARD OF NURSING



Joe R. Baker, Jr.
Executive Director
for Ann-Lynn Denker, PhD, ARNP, Chair

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 ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF HEALTH AND A SECOND COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY LAW, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN THIRTY (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 provided by U.S. Mail to **Petitioner, Denise Stralka**, 3423 Southwinds Cove Way, Leesburg, Florida 34748, Administrative Law Judge, Division of Administrative Hearings, The DeSoto Building, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060; to **Lee Ann Gustafson, Esquire**, Department of Legal Affairs, The Capitol, Plaza Level 01, Tallahassee, Florida 32399-1050; and to **Jennifer A. Tschetter, Esquire**, Office of General Counsel, Department of Health, 4052 Bald Cypress Way, Bin A-02, Tallahassee, Florida 32399-1701.

THIS 15th day of December, 2014.

Angel Sanders

DEPUTY AGENCY CLERK