

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

PALM GARDEN OF AVENTURA, LLC,

2017 MAR 20 P 2:48

Petitioner,

DOAH CASE NO. 15-001786CON  
AHCA CASE NO: 2015002599  
CON NOS: 10345 & 10343

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Respondent.

FINAL ORDER

THIS CAUSE comes before the Agency for Health Care Administration (“the Agency”) concerning Palm Garden of Aventura, LLC (“Palm Garden”) contesting the approval of Certificate of Need (“CON”) Application No. 10343, authorizing the establishment of 168-bed community nursing home filed by Florida Medical Systems, LLC (“FMS”) and the Agency’s denial of CON 10345 filed by Palm Garden to establish 48 community nursing home beds.

1. On April 15, 2015, Palm Garden filed a Notice of Voluntary Dismissal.
2. On April 29, 2015, the Division of Administrative Hearing issued an Order Closing File and Relinquishing Jurisdiction.

It is **ORDERED**:

1. The Agency’s decision is upheld.
2. Each party will be responsible for its own respective costs and attorney’s fees.
3. This matter is hereby closed.

**ORDERED** in Tallahassee, Florida, on this 20<sup>th</sup> day of March, 2017.



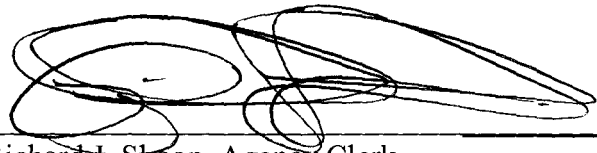
Justin M. Senior, Secretary  
Agency for Health Care Administration

**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 20<sup>th</sup> day of March, 2017.



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