

**STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION**

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AGENCY CLERK

2016 APR 13 P 2:28

EIGHTH FLORIDA LIVING OPTIONS,  
LLC,

Petitioner,

CASE NO. 15-1897CON  
AHCA NO. 2015002634

v.

RENDITION NO.: AHCA - 16 - 0278

-FOI-OLC

LAKELAND OAKS NH, LLC and  
STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Respondents.

\_\_\_\_\_  
LAKELAND OAKS NH, LLC,

Petitioner,

CASE NO. 15-1903CON  
AHCA NO. 2015003333

v.

EIGHTH FLORIDA LIVING OPTIONS,  
LLC,

Respondent.

\_\_\_\_\_

**FINAL ORDER**

This case was referred to the Division of Administrative Hearings (DOAH) where the assigned Administrative Law Judge (ALJ), James H. Peterson III, conducted a formal administrative hearing. At issue in this proceeding is which Certificate of Need ("CON") application seeking to approve a new 120-bed community nursing home in District 6-5, Polk County, Florida, best satisfies the statutory and rule criteria for approval. The Recommended Order entered on February 22, 2016 is attached to this final order and incorporated herein by reference.

**RULINGS ON EXCEPTIONS**

Neither party filed any exceptions to the Recommended Order.

**FINDINGS OF FACT**

The Agency hereby adopts the findings of fact set forth in the Recommended Order.


**CONCLUSIONS OF LAW**

The Agency hereby adopts the conclusions of law set forth in the Recommended Order.

**ORDER**

Based upon the foregoing, Lakeland Oaks NH, LLC's CON application no. 10309 is hereby approved and Eighth Florida Living Options, LLC's CON application no. 10303 is hereby denied. The parties shall govern themselves accordingly.

**DONE and ORDERED** this 12 day of April, 2016, 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 A JUDICIAL REVIEW WHICH SHALL BE INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A SECOND COPY ALONG WITH THE FILING FEE AS 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 the method indicated to the persons named below on this 13<sup>th</sup> day of April, 2016.

  
\_\_\_\_\_  
RICHARD J. SHOOP, Agency Clerk  
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Tallahassee, Florida 32308-5403  
(850) 412-3630

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