

**STATE OF FLORIDA
AGENCY FOR HEALTHCARE ADMINISTRATION**

FILED
AHCA
AGENCY CLERK

2016 APR 13 P 2: 28

HSP CITRUS, LLC,

Petitioner,

vs.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent

DOAH NO. 15-1898CON

AHCA NO. 2015002637
CON NOS. 10307
10309

FINAL ORDER

This cause came on for consideration on the Agency's decision denying the Certificate of Need ("CON") Application No. 10307 filed by HSP Citrus, LLC, ("HSP") to establish a new 120-bed community nursing home in Polk County, Florida State Health Services Planning District 6, Nursing Home Subdistrict 5, and approving Lakeland Oaks NH, LLC's ("Lakeland") co-batched CON Application No. 10309.

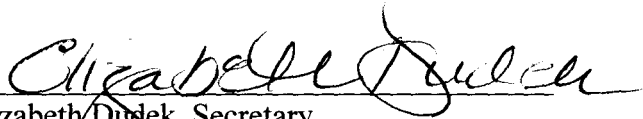
1. On February 23, 2015, the Agency published its decision denying HSP's CON Application No. 10307 and approving Lakeland's CON Application 10309.
2. On March 16, 2014, HSP filed a Petition for Formal Administrative Hearing with the Agency contesting the denial of its CON Application No. 10307 and the approval of Lakeland's CON 10309. The Agency referred the Petition to the Division of Administrative Hearings.
3. On April 15, 2015, HSP filed a Notice of Voluntary Dismissal. Thereafter, the case was closed.

It is therefore **ORDERED**:

1. The denial of HSP's CON Application 10307 is UPHELD.

2. HSP's challenge of Lakeland's CON Application 10309 is dismissed.

ORDERED in Tallahassee, Florida, on this 12 day of April, 2016.

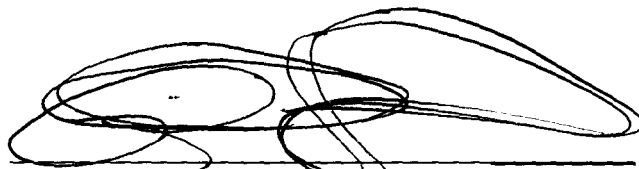

Elizabeth Dudek, Secretary
Agency for Health Care Administration

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 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 13th day of April, 2016.



Richard J. Shoop, Agency Clerk
Agency for Health Care Administration
2727 Mahan Drive, Mail Stop #3
Tallahassee, Florida 32308
(850) 412-3630

Honorable James H. Peterson, III
Administrative Law Judge
Division of Administrative Hearings
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