

STATE OF FLORIDA
AGENCY FOR HEALTHCARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

2015 SEP 14 A 11: 59

HERNANDO-PASCO, HOSPICE, INC.,

Petitioner,

DOAH No. 15-2000CON

vs.

AHCA No. 2015002661

CON No. 10283

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,
SUNCOAST BAYCARE HOSPICE OF
PASCO, LLC;

Respondents.

COMPASSIONATE CARE HOSPICE OF
THE GULF COAST, INC.,

Petitioner,

DOAH No. 15-2004CON

vs.

AHCA No. 2015002658

CON 10280

CON 10283

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,
SUNCOAST BAYCARE HOSPICE OF
PASCO, LLC,

Respondents.

SUNCOAST BAYCARE HOSPICE OF
PASCO, LLC,

Cross-Petitioner,

DOAH No. 15-2002CON

vs.

AHCA No. 2015003351

COMPASSIONATE CARE HOSPICE
OF THE GULF COAST, INC.,

Cross-Respondent.

GULFSIDE HOSPICE & PASCO
PALLIATIVE CARE, INC.

Petitioner,

DOAH No. 15-2009CON

vs.

AHCA No. 2015002659
CON 10283

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,
SUNCOAST BAYCARE HOSPICE OF
PASCO, LLC,

Respondents.

FINAL ORDER

THIS CAUSE is before the State of Florida, Agency for Health Care Administration (“the Agency”) concerning the preliminary approval of Certificate of Need (“CON”) 10283 filed by Suncoast BayCare Hospice of Pasco, LLC (hereinafter “Suncoast”), to establish a new hospice program, and the preliminary denial of CON 10280, to establish a new hospice program, with respect to the fixed need pool for Service Area 5A.

1. The Agency comparatively reviewed CON applications for new hospice program batching cycle with an application due date of November 19, 2014, for the fixed need pool for Sub-District 5A. For the case at hand, the reviews included in relevant part:

10280	Compassionate Care Hospice of the Gulf Coast, Inc.	Denied
10281	Odyssey Healthcare of Marion County, LLC	Denied
10282	Regency Hospice of Northwest Florida, Inc.	Denied
10283	Suncoast Bay Care Hospice of Hillsborough, LLC	Approved
10284	VITAS Healthcare Corporation of Florida	Denied
10285	West Florida Health, Inc.	Denied

2. On February 23, 2015, the Agency published notice in the Florida Administrative Register of its decisions regarding the preliminary denial of CON Applications No. 10280, 10281, 10282, 10284, 10285-and the preliminary approval of CON 10283.

3. On March 13, 2015, Compassionate Care Hospice of the Gulf Coast, Inc. (hereinafter “Compassionate Care”) filed a Petition for Formal Administrative Hearing to contest the preliminary approval of Suncoast’s application for CON No. 10283, and to contest the preliminary denial of its application for CON No. 10280.

4. On March 13, 2015, Gulfside Hospice & Pasco Palliative Care, Inc. filed a Petition for Formal Administrative Proceedings to challenge the approval of Suncoast’s application for CON 10283 and to support the denial of the other co-batched applications.

5. On March 16, 2015, Hernando-Pasco Hospice, Inc. filed a Petition for Formal Administrative Proceedings challenging the preliminary approval of Suncoast’s application for application for CON No. 10283, and supporting the preliminary denial of the other co-batched applications to establish a new hospice program in the same area.

6. On March 30, 2015, Suncoast filed a Cross-Petition for Formal Administrative Proceeding to support the approval of its application for CON No. 10283 and to support the denial of CON Application No. 10280 filed by Compassionate Care.

7. The Agency referred the Petitions to the Division of Administrative Hearings and an Administrative Law Judge (“ALJ”) was assigned.

8. On May 22, 2015, Compassionate Care filed a Notice of Voluntary Dismissal of its Petition for Hearing.

9. On May 28, 2015, Suncoast filed a Notice of Withdrawal of Application and Voluntary Dismissal.

10. On June 5, 2015, the ALJ entered an Order Closing Files and Relinquishing Jurisdiction to the Agency.

It is therefore **ORDERED**:

1. The denial of CON Application No. 10280 is UPHELD.
2. The Agency's preliminary approval of CON Application 10283 is RESCINDED.

ORDERED in Tallahassee, Florida, on this 13 day of September 2015.



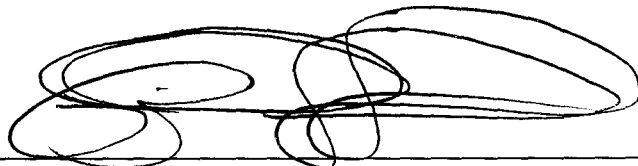
Elizabeth Dudek, Secretary
Agency for Health Care Administration

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 of 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 the method designated to the persons named below on this 14th day of Sept, 2015.



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