

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHC
AGENCY CLERK
2015 NOV -3 P 12: 04

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

DOAH CASE NO.: 15-4196
FINE NO.: F0115-0745-001
LICENSE NO.: 1416096
INVOICE NO.: 0115-0745

PALM GARDEN OF WEST PALM BEACH, LLC,

Respondent.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

DOAH CASE NO.: 15-4187
FINE NO.: F0115-0735-001
LICENSE NO.: 1407096
INVOICE NO.: 0115-0731

PALM GARDEN OF CLEARWATER, LLC,

Respondent.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

DOAH CASE NO.: 15-4188
FINE NO.: F0115-0736-001
LICENSE NO.: 1408096
INVOICE NO.: 0115-0736

PALM GARDEN OF GAINESVILLE, LLC,

Respondent.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF JACKSONVILLE, LLC,

Respondent.

DOAH CASE NO.: 15-4189
FINE NO.: F0115-0737-001
LICENSE NO.: 1406096
INVOICE NO.: 0115-0737

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF ORLANDO, LLC,

Respondent.

DOAH CASE NO.: 15-4190
FINE NO.: F0115-0739-001
LICENSE NO.: 1412096
INVOICE NO.: 0115-0739

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF LARGO, LLC,

Respondent.

DOAH CASE NO.: 15-4191
FINE NO.: F0115-0738-001
LICENSE NO.: 1409096
INVOICE NO.: 0115-0738

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF PINELLAS, LLC,

Respondent.

DOAH CASE NO.: 15-4192
FINE NO.: F0115-0740-001
LICENSE NO.: 1418095
INVOICE NO.: 0115-0740

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF PORT ST. LUCIE, LLC,

Respondent.

DOAH CASE NO.: 15-4193
FINE NO.: F0115-0741-001
LICENSE NO.: 1419096
INVOICE NO.: 0115-0740

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF SUN CITY, LLC,

Respondent.

DOAH CASE NO.: 15-4194
FINE NO.: F0115-0742-001
LICENSE NO.: 1421096
INVOICE NO.: 0115-0742

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF TAMPA, LLC,

Respondent.

DOAH CASE NO.: 15-4195
FINE NO.: F0115-0743-001
LICENSE NO.: 1420095
INVOICE NO.: 0115-0743

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF WINTER HAVEN, LLC,

Respondent.

DOAH CASE NO.: 15-4197
FINE NO.: F0115-0746-001
LICENSE NO.: 1414096
INVOICE NO.: 0115-0746

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF AVENTURA, LLC,

Respondent.

DOAH CASE NO.: 15-4198
FINE NO.: F0115-0747-001
LICENSE NO.: 1410096
INVOICE NO.: 0115-0747

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF OCALA, LLC,

Respondent.

DOAH CASE NO.: 15-4199
FINE NO.: F0115-0748-001
LICENSE NO.: 1411096
INVOICE NO.: 0115-0748

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Petitioner,

vs.

PALM GARDEN OF VERO BEACH, LLC,

Respondent.

DOAH CASE NO.: 15-4202
FINE NO.: F0115-0744-001
LICENSE NO.: 1415096
INVOICE NO.: 0115-0744

FINAL ORDER

This matter involves Administrative Fine – Quality Assessment Fee letters issued by the Agency for Health Care Administration (“AHCA”) on June 11, 2015, attached hereto as Exhibits “A” through “N,” that imposed three thousand dollar (\$3,000.00) fines on each of the above-named facilities (each of the above-named facilities to be collectively referred to by the singular term, “Provider,” hereinafter) for violations of Section 409.9082, Florida Statutes.

On June 22 and 23, 2015, Provider filed a Petition for Formal Administrative Hearing.

On July 24, 2015, the Agency Clerk issued a Notice advising the Division of Administrative Hearings (“DOAH”) of Provider’s Petition for Formal Administrative Hearing and requesting that an Administrative Law Judge be assigned to the matter.

On August 3, 2015, the Administrative Law Judge issued an Order of Consolidation, consolidating DOAH Case Nos. 15-4187, 15-4188, 15-4189, 15-4190, 15-4191, 15-4192, 15-4193, 15-4194, 15-4195, 15-4196, 15-4197, 15-4198, 15-4199, and 15-4202 pursuant to Rule 28-106.108 of the *Florida Administrative Code* .

On August 6, 2015, the Administrative Law Judge issued a Notice of Hearing, scheduling a hearing in this matter for October 8, 2015, in Tallahassee, Florida.

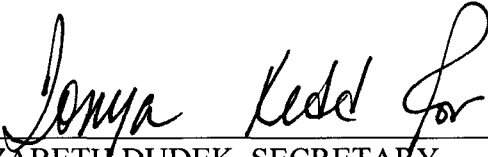
On August 28, 2015, Provider filed a Notice of Voluntary Dismissal.

On September 1, 2015, the Administrative Law Judge issued an Order Closing Files and Relinquishing Jurisdiction.

As Provider has voluntarily dismissed the Petitions in each of the above-named cases, Provider is required, pursuant to the June 11, 2015, Administrative Fine – Quality Assessment Fee letters (Exhibits “A” through “N”) to pay AHCA fines in the amount of three thousand dollars (\$3,000.00) per above-named facility for a total of forty-two thousand dollars (\$42,000.00).

Based on the foregoing, this file is CLOSED.

DONE and ORDERED on this the 3rd day of November 2015 in Tallahassee, Florida.



ELIZABETH DUDEK, SECRETARY
Agency for Health Care Administration

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 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.

Copies furnished via email to:

1) R. Terry Rigsby, Esquire
Pennington, P.A.
trigsby@penningtonlaw.com
(Attorney for the Provider)

6) Willis Melvin, Esquire
(Office of the General Counsel)

7) Gregory Pitt, Esquire
(Office of the General Counsel)

2) Bureau of Medicaid Program Finance

3) Bureau of Financial Services

4) Stuart Williams, Esquire
(Office of the General Counsel)

5) Shena Grantham, Esquire
(Office of the General Counsel)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the above named addressees by email on this the 3rd day of November 2015.



Richard J. Shoop, Agency Clerk
State of Florida, Agency for
Health Care Administration
2727 Mahan Drive, MS #3
Tallahassee, Florida 32308-5403
(850) 412-3689/FAX (850) 921-0158