

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

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AHCA  
AGENCY CLERK

2017 JAN 18 A 9:27

SARASOTA COUNTY PUBLIC HOSPITAL  
DISTRICT, d/b/a SARASOTA  
MEMORIAL HOSPITAL,

**Petitioner,**

**DOAH CASE NO.: 16-3859CON**

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

**AHCA CASE NO.: 2016007171**  
**CON NO.: 10431**

**Respondent,**

and

**BAYFRONT HEALTH PORT CHARLOTTE;  
VENICE REGIONAL BAYFRONT HEALTH;  
FAWCETT MEMORIAL HOSPITAL INC.;**  
**AND ENGLEWOOD COMMUNITY  
HOSPITAL, INC.,**

**Intervenors.**

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**FINAL ORDER**

THIS CAUSE is before the State of Florida, Agency for Health care Administration (“Agency”) concerning the preliminary denial of the application for a certificate of need (“CON”) 10431 filed by Sarasota County Public Hospital District (“Sarasota”) seeking to establish an 80-bed acute care general hospital to be located in Sarasota County, Health Planning Service District 8, Sub-District 8-6 seeking issuance of CON 10431.

1. On date of June 6, 2017, the Agency published a notice in the Florida Administrative Register of its decisions which include the preliminary denial of CON 10431.
2. On June 24, 2016, Sarasota filed a Petition contesting the denial by the Agency of its application and this Petition was forwarded to the Division of Administrative Hearings.

3. Several Intervenors, Bayfront Health Port Charlotte; Venice Regional Bayfront Health; Fawcett Memorial Hospital, Inc.; and Englewood Community Hospital, Inc., filed motions/petitions to intervene in support of the agency decision to deny the application of Sarasota and an order granting each Petition to Intervene was entered by the Administrative Law Judge.

4. On date of September 9, 2016, Sarasota filed a Notice of Voluntary Dismissal of its Petition challenging the denial of its application for issuance of a CON.

It is therefore, **ORDERED**

That the denial of CON 10431 is UPHELD.

Ordered in Tallahassee, Florida, on this 17 day of January, 2017.



Justin M. Senior, Interim 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 18<sup>th</sup> day of

January, 2017.



Richard J. Shoop, Agency Clerk  
Agency for Health Care Administration  
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**Copies Furnished To:**

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