

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

IN RE: MEDICAID REIMBURSEMENT
RATE RULE CHALLENGES

Case Nos. 16-6398RX
through
16-6414RX

FINAL ORDER

In November 2016, numerous Florida hospitals filed petitions in these cases challenging the methodology used to determine the prospective Medicaid outpatient reimbursement rates for state fiscal year 2016-2017 as a rule that was not adopted as required, and challenging Florida Administrative Code Rule 59G-6.030, which included the methodology used to determine the rates for fiscal year 2015-2016, as an invalid exercise of delegated legislative authority. Those petitions were consolidated.

The final hearing scheduled for December 5 was continued, and the unadopted rule challenges were stayed under section 120.56(4)(b), Florida Statutes (2016), when the Agency for Health Care Administration (AHCA) gave notice that it was proposing to adopt a rule incorporating the methodology used to determine the prospective Medicaid outpatient reimbursement rates for state fiscal year 2016-2017.

In January 2017, the hospitals filed petitions challenging the proposed rules and again challenging the existing rules. Those petitions became DOAH cases 17-0467RP through 17-0474RP,

17-0496RP, and 17-0558RP through 17-0560RP, which were consolidated and scheduled for final hearing on February 23 and 24.

The final hearing in the existing rule challenges in cases 16-6398RX through 16-6414RX was rescheduled to coincide on February 23 and 24. The stay of the unadopted rule challenges in those cases remained in effect.

The final hearing was completed in one day, on February 23. The Transcript of the final hearing was filed on March 15; the parties filed proposed final orders; and a Final Order was entered in cases 17-0467RP through 17-0474RP, 17-0496RP, and 17-0558RP through 17-0560RP. The Final Order denied the petitions in those cases.

Based on the Final Order entered in cases 17-0467RP through 17-0474RP, 17-0496RP, and 17-0558RP through 17-0560RP, the petitions in cases 16-6398RX through 16-6414RX challenging the validity of existing rule 59G-6.030 are dismissed as moot, and the unadopted rule challenge petitions in those cases are dismissed under section 120.56(4)(b), Florida Statutes.

DONE AND ORDERED this 18th day of April, 2017, in
Tallahassee, Leon County, Florida.



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Filed with the Clerk of the
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NOTICE OF RIGHT TO JUDICIAL REVIEW

A party who is adversely affected by this Final Order is entitled to judicial review pursuant to section 120.68, Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing the original notice of administrative appeal with the agency clerk of the Division of Administrative Hearings within 30 days of rendition of the order to be reviewed, and a copy of the notice, accompanied by any filing fees prescribed by law, with the clerk of the District Court of Appeal in the appellate district where the agency maintains its headquarters or where a party resides or as otherwise provided by law.