

**STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION**

FILED
AHCA
AGENCY CLERK

SOUTHERN WINDS HEALTH, LLC, d/b/a
SOUTHERN WINDS HOSPITAL,

2018 JAN 11 P 3: 30

Petitioner,

DOAH CASE NO.: 17-3903CON

vs.

AHCA CASE NO.: 2017006885

CON NO.: 10483

NEXT GENERATION BEHAVIORAL HEALTH, LLC
AND STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent.

FINAL ORDER

THIS CAUSE is before the State of Florida, Agency for Health Care Administration (“the Agency”) concerning the approval of Certificate of Need (“CON”) 10483 filed by Next Generation Behavioral Health, LLC (“Next Generation”) to establish a new 104-bed adult psychiatric hospital. The Agency comparatively reviewed CON applications for other beds and programs batching cycle with an application due date of March 8, 2017: For the case at hand, the reviews included in relevant part:

10483	Next Generation Behavioral Health, LLC	103-Beds	Approved
10484	Southeast Florida Behavioral Health LLC	80-Beds	Denied

1. On June 6, 2017, the Agency published notice of its intent to approve Next Generation’s CON 10483 in the Florida Administrative Register.
2. On June 27, 2017, Southern Winds filed a Petition for Formal Administrative Hearing contesting the approval of CON Application No. 10483 filed by Next Generation.
3. On July 12, 2017, Southeast Florida Behavioral Health, LLC (“Southeast Florida”) (DOAH No. 17-9304, Hialeah Hospital, Inc, d/b/a Hialeah Hospital, Lifemark Hospitals of

Florida, Inc., d/b/a Palmetto General Hospital and North Shore Medical Center, Inc., d/b/a North Shore Medical Center (“Palmetto/North Shore”) (DOAH No. 17-3905CON) and Plantation General Hospital Limited Partnership, d/b/a Mercy Hospital, A Campus Of Plantation General Hospital; Kendall Healthcare Group, LTD., d/b/a Kendall Regional Medical Center; and Miami Beach Healthcare Group, LTD., d/b/a Aventura Hospital, et al (“Plantation/Aventura”) (DOAH No. 17-3906CON) also filed Petitions for Formal Administrative Hearing.

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

5. On July 31, 2017, the ALJ entered an Order Consolidating Case with regard to DOAH Case No. 17-3903CON, 17-3905CON and 17-3906CON.


6. On October 16, 2017, Southern Winds filed a Notice of Voluntary Dismissal dismissing its Petition.

7. October 16, 2017, the ALJ entered an Order Closing Filing and Relinquishing Jurisdiction as to the above referenced case based upon the filing of the Notice of Voluntary Dismissal by Southern Winds.

It is therefore **ORDERED:**

1. The Petition of Southern Winds is dismissed.

ORDERED in Tallahassee, Florida, on this 11th day of January, 2018. ^{smj}



Justin M. Senior, Secretary
Agency for Health Care Administration

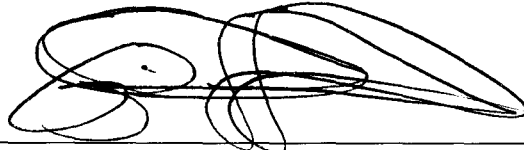
NOTICE OF RIGHT TO JUDICIAL REVIEW

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 11th day of

January, 2018.



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Administrative Law Judge
Division of Administrative Hearings
(E-Filing)

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