

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

FILED
AHCA
AGENCY CLERK

2017 SEP 20 P 3: 52

SOUTHEAST FLORIDA BEHAVIORAL
HEALTH, LLC,

Petitioner,

DOAH CASE NO. 17-3904CON

AHCA CASE NO. 2017006821

CON NO. 10484

vs.

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

Respondents.

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 and the preliminary denial of CON 10484 filed by Southeast Florida Behavioral Health (Southeast Florida) to establish an 80-bed adult inpatient psychiatric hospital to be located in Miami-Dade County, District 11.

1. 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 |

2. On June 6, 2017, the Agency published notice of its intent to deny Southeast Florida’s CON 10484 in the Florida Administrative Register.

3. On June 23, 2017, Southeast Florida filed a Petition for Formal Administrative Hearing contesting the approval of CON Application No. 10483 filed by Next Generation and the denial of its CON Application No. 10484.

4. On July 12, 2017, Southern Winds Health, LLC, d/b/a Southern Winds Hospital (DOAH No. 17-3903), 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.

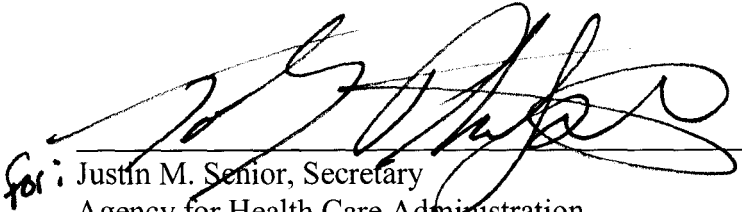
5. The Agency referred the Petitions to the Division of Administrative Hearings (“DOAH”) and an Administrative Law Judge (“ALJ”) was assigned.

6. On August 23, 2017, Southeast Florida filed a Notice of Voluntary Dismissal of its Petition for Formal Administrative Hearing, which challenged the denial of its CON Application No. 10484 and the approval of Next Generation’s CON Application No. 10483.

It is therefore **ORDERED**:

1. The Agency’s denial of Southeast Florida CON Application 10484 is UPHELD.

ORDERED in Tallahassee, Florida, on this 19 day of September, 2017.


for: Justin M. Senior, Secretary
Agency for Health Care Administration

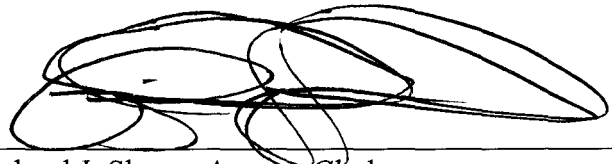
NOTICE OF RIGHT TO JUDICIAL REVIEW

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 20th day of

September, 2017.



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Administrative Law Judge
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