# FILED JUL 2 0 2018

#### STATE OF FLORIDA DEPARTMENT OF CHILDREN AND FAMILIES

DCF Department Clerk

MERIDIAN BEHAVIORAL HEALTHCARE, INC.,	DCF-18-178-FO
Petitioner, v.	Case No. 17-6900
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
LIFESTREAM BEHAVIORAL CENTER, INC.,	
Petitioner,	
v.	Case No. 17-6901
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
RIVERWOOD GROUP, LLC,	
Petitioner, v.	Case No. 17-6902
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
OPERATION PAR, INC.,	
Petitioner, v.	Case No. 17-6903
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	

#### DACCO BEHAVIORAL HEALTH, INC.,

Petitioner, v.	Case No. 17-6904
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
ASPIRE HEALTH PARTNERS, INC.,	
Petitioner, v.	Case No. 17-6905
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
CRC HEALTH TREATMENT CLINICS, LLC (PASCO COUNTY, BROWARD COUNTY, FLAGLER COUNTY, PALM BEACH COUNTY, VOLUSIA COUNTY, HILLSBOROUGH COUNTY, INDIAN RIVER COUNTY, ORANGE COUNTY, LAKE COUNTY, MANATEE COUNTY, MARTIN COUNTY, SEMINOLE COUNTY),  Petitioners, v.  DEPARTMENT OF CHILDREN AND FAMILIES and COLONIAL MANAGEMENT, L.P.	Case Nos. 17-6906 17-6907 17-6909 17-6911 17-6912 17-6914 17-6915 17-6916 17-6917 17-6919
Respondents.	17-6920
1	

## CRC HEALTH TREATMENT CLINICS, LLC (CITRUS COUNTY, DESOTO COUNTY, MONROE COUNTY)

Petitioners, v.  DEPARTMENT OF CHILDREN AND FAMILIES and PALM BEACH DRUG TESTING, LLC d/b/a RELAX MENTAL HEALTH CARE,	Case Nos. 17-6908 17-6910 17-6921
Respondents/	
GOLDEN GLADES TREATMENT CENTER,	
Petitioner, v.	Case No. 17-6972
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
SYMETRIA, LLC (BROWARD COUNTY, HILLSBOROUGH COUNTY, MANATEE COUNTY, ORANGE COUNTY, PALM BEACH COUNTY, PASCO COUNTY, SANTA ROSA COUNTY, SEMINOLE COUNTY, VOLUSIA COUNTY),	Case No. 18-0529 18-0530 18-0531
Petitioner, v.	18-0532 18-0533 18-0534 18-0535
DEPARTMENT OF CHILDREN AND FAMILIES, Respondent.	18-0536 18-0537

Case No. 18-2067
Case No. 18-2068

#### FINAL ORDER RESCINDING AWARDS AND CLOSING FILES

THESE CONSOLIDATED CAUSES are before me for entry of a final order. All of the challenges in the above-styled cases are based upon approvals to apply for licensure issued by the Department pursuant to Emergency Rule 65DER17-2. A copy of each pertinent approval letter that the Department issued is attached to this order. In a final order dated May 15, 2018, an Administrative Law Judge at the Division of Administrative Hearings issued a final order invalidating that emergency rule. *See* DOAH Case No. 17-6655RU. As the Department cannot issue awards based upon invalidated rules, all of the approvals at issue are rescinded. There are no further issues between the parties. This matter is closed.

DONE AND ORDERED at Tallahassee, Leon County, Florida, this day of

11/ , 2018.

Mike Carroll, Secretary

#### **NOTICE OF RIGHT TO APPEAL**

THIS ORDER CONSTITUTES FINAL AGENCY ACTION AND MAY BE APPEALED BY A PARTY PURSUANT TO SECTION 120.68, FLORIDA STATUTES, AND RULES 9.110 AND 9.190, FLORIDA RULES OF APPELLATE PROCEDURE. SUCH APPEAL IS INSTITUTED BY FILING ONE COPY OF A NOTICE OF APPEAL WITH THE AGENCY CLERK OF THE DEPARTMENT OF CHILDREN AND FAMILIES AT 1318 WINEWOOD BOULEVARD, BUILDING 2, ROOM 204, TALLAHASSEE, FLORIDA 32399-0700, AND A SECOND COPY ALONG WITH THE FILING FEE AS PRESCRIBED BY LAW, IN THE DISTRICT COURT OF APPEAL WHERE THE PARTY RESIDES OR IN THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE OF APPEAL MUST BE FILED (RECEIVED) WITHIN 30 DAYS OF RENDITION OF THIS ORDER.1

Copies furnished to the following via U.S. and electronic mail on date of Rendition of this Order.<sup>1</sup>

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<sup>&</sup>lt;sup>1</sup> The date of the "rendition" of this Order is the date that is stamped on its first page.

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Claudia Llado, Clerk Division of Administrative Hearings Three DeSoto Building 1230 Apalachee Parkway Tallahassee, FRL 32399

Agency Clerk



Rick Scott Governor

Mike Carroll Secretary

November 16, 2017

Colonial Management Group, L.P. 2550 Maitland Center Parkway, Suite 250 Maitland, FL 32751

Dear Colonial Management Group, L.P.:

Thank you for your recent application in response to the emergency rule, 65DER 17-1, F.A.C. By authority of Chapter 397, Florida Statutes, you are hereby approved to apply for licensure of methadone medication-assisted treatment facilities in the following counties: Broward, Clay, Flagler, Hillsborough (2), Indian River, Lake, Manatee, Martin, Nassau, Orange, Palm Beach, Pasco, Putnam, Santa Rosa, Seminole, Sumter, Volusia, and Wakulla.

Please note that applicants for licensure must adhere to the requirements specified in: Chapter 65D-30, Florida Administrative Code and 42 Code of Federal Regulations. The Department's licensure application and information about the licensing process can be found at: <a href="http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf">http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf</a>.

If you choose to relinquish the opportunity to apply for licensure in a county/counties, please notify Corine Stancil, State Opioid Treatment Authority. If you have any questions, contact Corine Stancil at (850) 717 – 4427 or <a href="mailto:Corine.Stancil@myflfamilies.com">Corine.Stancil@myflfamilies.com</a>.

Sincerely,

**Ute Gazioch** 

Director of Substance Abuse and Mental Health

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cc: Mylisa Lee, Northwest Region SAMH Director
Susan Sweeney, Northwest Region, System of Care Coordinator
Jayme Carter, Northeast Region SAMH Director
Kelly Manning, Northeast Region, Senior Licensure Specialist
Shivana Rameshwar, Central Region, SAMH Director
Mary Harmon, Central Region, Substance Abuse Licensure Specialist

April May, SunCoast Region, SAMH Director Susan Nunnally, SunCoast Region, System of Care Coordinator Suzette Fleischmann, Southeast Region, SAMH Director Sarah Liccardi, Southeast Region, Substance Abuse Coordinator Corine Stancil, State Opioid Treatment Authority Teresa Berdoll, Licensure and Designations Manager



Rick Scott Governor

Mike Carroll Secretary

November 16, 2017

Lakeview Center, Inc. 1221 West Lakeview Avenue Pensacola, FL 32501

Dear Lakeview Center, Inc.:

Thank you for your recent application in response to the emergency rule, 65DER 17-1, F.A.C. By authority of Chapter 397, Florida Statutes, you are hereby approved to apply for licensure of methadone medication-assisted treatment facility in the following county: Walton.

Please note that applicants for licensure must adhere to the requirements specified in: Chapter 65D-30, Florida Administrative Code and 42 Code of Federal Regulations. The Department's licensure application and information about the licensing process can be found at: <a href="http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf">http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf</a>.

If you choose to relinquish the opportunity to apply for licensure in a county/counties, please notify Corine Stancil, State Opioid Treatment Authority. If you have any questions, please contact Corine Stancil at (850) 717 – 4427 or Corine.Stancil@myflfamilies.com.

Sincerely,

**Ute Gazioch** 

Director of Substance Abuse and Mental Health

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CC:

Mylisa Lee, Northwest Region SAMH Director Susan Sweeney, Northwest Region, System of Care Coordinator Corine Stancil, State Opioid Treatment Authority Teresa Berdoll, Licensure and Designations Manager



Rick Scott Governor

Mike Carroll Secretary

November 16, 2017

Psychological Addiction Services, LLC 3113 East Washington Avenue Madison, WI 53704

Dear Psychological Addiction Services, LLC:

Thank you for your recent application in response to the emergency rule, 65DER 17-1, F.A.C. By authority of Chapter 397, Florida Statutes, you are hereby approved to apply for licensure of methadone medication-assisted treatment facilities in the following counties: Baker, Bradford, Calhoun, Dixie, Franklin, Gadsden, Gilchrist, Gulf, Hamilton, Holmes, Jackson, Jefferson, Lafayette, Levy, Liberty, Madison, Suwannee, Taylor, Union and Washington.

Please note that applicants for licensure must adhere to the requirements specified in: Chapter 65D-30, Florida Administrative Code and 42 Code of Federal Regulations. The Department's licensure application and information about the licensing process can be found at: http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf.

If you choose to relinquish the opportunity to apply for licensure in a county/counties, please notify Corine Stancil, State Opioid Treatment Authority. If you have any questions, please contact Corine Stancil at (850) 717 – 4427 or Corine.Stancil@myflfamilies.com.

Sincerely,

**Ute Gazioch** 

Director of Substance Abuse and Mental Health

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cc: Mylisa Lee, Northwest Region SAMH Director
Susan Sweeney, Northwest Region, System of Care Coordinator
Jayme Carter, Northeast Region SAMH Director
Kelly Manning, Northeast Region, Senior Licensure Specialist
Corine Stancil, State Opioid Treatment Authority
Teresa Berdoll, Licensure and Designations Manager



Rick Scott Governor

Mike Carroll Secretary

November 16, 2017

Palm Beach Drug Testing, LLC dba Relax Mental Health 2809 Poinsettia Avenue A-H West Palm Beach, FL 33407

Dear Palm Beach Drug Testing, LLC:

Thank you for your recent application in response to the emergency rule, 65DER 17-1, F.A.C. By authority of Chapter 397, Florida Statutes, you are hereby approved to apply for licensure of methadone medication-assisted treatment facilities in the following counties: Citrus, DeSoto, Glades, Hardee, Hendry, Highlands, Monroe and Okeechobee.

Please note that applicants for licensure must adhere to the requirements specified in: Chapter 65D-30, Florida Administrative Code and 42 Code of Federal Regulations. The Department's licensure application and information about the licensing process can be found at: <a href="http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf">http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf</a>.

If you choose to relinquish the opportunity to apply for licensure in a county/counties, please notify Corine Stancil, State Opioid Treatment Authority. If you have any questions, please contact Corine Stancil at (850) 717 – 4427 or <a href="mailto:Corine.Stancil@myflfamilies.com">Corine.Stancil@myflfamilies.com</a>.

Sincerely,

Ute Gazioch

Director of Substance Abuse and Mental Health

cc: Shivana Rameshwar, Central Region, SAMH Director
Mary Harmon, Central Region, Substance Abuse Licensure Specialist
April May, SunCoast Region, SAMH Director
Susan Nunnally, SunCoast Region, System of Care Coordinator
Suzette Fleischmann, Southeast Region, SAMH Director
Sarah Liccardi, Southeast Region, Substance Abuse Coordinator
Catherine Prendiville, Southern Region, SAMH Director

Yamile Diaz, Southern Region, System of Care Coordinator Corine Stancil, State Opioid Treatment Authority Teresa Berdoll, Licensure and Designations Manager



Rick Scott Governor

Mike Carroll Secretary

November 16, 2017

Symetria Recovery Soft Landing Interventions, LLC 1601 Bond Street, Suite 201 Naperville, Illinois 60563-0113

Dear Symetria:

Thank you for your recent application in response to the emergency rule, 65DER 17-1, F.A.C. By authority of Chapter 397, Florida Statutes, you are hereby approved to apply for licensure of methadone medication-assisted treatment facilities in the following county: Okaloosa.

Please note that applicants for licensure must adhere to the requirements specified in: Chapter 65D-30, Florida Administrative Code and 42 Code of Federal Regulations. The Department's licensure application and information about the licensing process can be found at: <a href="http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf">http://www.dcf.state.fl.us/programs/samh/SubstanceAbuse/docs/mh4024.pdf</a>.

If you choose to relinquish the opportunity to apply for licensure in a county/counties, please notify Corine Stancil, State Opioid Treatment Authority. If you have any questions, please contact Corine Stancil at (850) 717 – 4427 or Corine.Stancil@myflfamilies.com.

Sincerely.

Ute Gazioch

Director of Substance Abuse and Mental Health

Injoch)

cc: Mylisa Lee, Northwest Region SAMH Director

Susan Sweeney, Northwest Region, System of Care Coordinator

Corine Stancil, State Opioid Treatment Authority

Teresa Berdoll, Licensure and Designations Manager

#### STATE OF FLORIDA DIVISION OF ADMINISTRATIVE HEARINGS

INC.,	
Petitioner,	
vs.	Case No. 17-6900
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
LIFESTREAM BEHAVIORAL CENTER, INC.,	
Petitioner,	
vs.	Case No. 17-6901
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
RIVERWOOD GROUP, LLC,	
Petitioner,	
Vs.	Case No. 17-6902
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	

OPERATION PAR, INC.,		
Petitioner,		
VS.	Case No.	17-6903
DEPARTMENT OF CHILDREN AND FAMILIES,		
Respondent.		
DACCO BEHAVIORAL HEALTH, INC.,		
Petitioner,		
vs.	Case No.	17-6904
DEPARTMENT OF CHILDREN AND FAMILIES,		
Respondent.		
ASPIRE HEALTH PARTNERS, INC.,		
Petitioner,		
vs.	Case No.	17-6905
DEPARTMENT OF CHILDREN AND FAMILIES,		
Respondent.		

CRC HEALTH TREATMENT CLINICS, LLC, (PASCO COUNTY, BROWARD COUNTY, CITRUS COUNTY, FLAGLER COUNTY, DESOTO COUNTY, PALM BEACH COUNTY, VOLUSIA COUNTY, HILLSBOROUGH COUNTY, INDIAN RIVER COUNTY, ORANGE COUNTY, LAKE COUNTY, MANATEE COUNTY, MARTIN COUNTY, MONROE COUNTY, SEMINOLE COUNTY),  Petitioners,  VS.  DEPARTMENT OF CHILDREN AND	Case Nos. 17-6906 17-6907 17-6908 17-6909 17-6910 17-6911 17-6912 17-6914 17-6915 17-6916 17-6917 17-6919
FAMILIES,	17-6921
D	17-6922
Respondent.	
GOLDEN GLADES TREATMENT CENTER,	
Petitioner,	
VS.	Case No. 17-6972
DEPARTMENT OF CHILDREN AND FAMILIES,	
Respondent.	
/	
SYMETRIA, LLC (BROWARD COUNTY, HILLSBOROUGH COUNTY, MANATEE COUNTY, ORANGE COUNTY, PALM BEACH COUNTY, PASCO COUNTY,	Case Nos. 18-0529
SYMETRIA, LLC (BROWARD COUNTY, HILLSBOROUGH COUNTY, MANATEE COUNTY, ORANGE COUNTY, PALM	18-0530 18-0531
SYMETRIA, LLC (BROWARD COUNTY, HILLSBOROUGH COUNTY, MANATEE COUNTY, ORANGE COUNTY, PALM BEACH COUNTY, PASCO COUNTY, SANTA ROSA COUNTY, SEMINOLE	18-0530 18-0531 18-0532 18-0533
SYMETRIA, LLC (BROWARD COUNTY, HILLSBOROUGH COUNTY, MANATEE COUNTY, ORANGE COUNTY, PALM BEACH COUNTY, PASCO COUNTY, SANTA ROSA COUNTY, SEMINOLE COUNTY, VOLUSIA COUNTY),	18-0530 18-0531 18-0532 18-0533 18-0534 18-0535
SYMETRIA, LLC (BROWARD COUNTY, HILLSBOROUGH COUNTY, MANATEE COUNTY, ORANGE COUNTY, PALM BEACH COUNTY, PASCO COUNTY, SANTA ROSA COUNTY, SEMINOLE COUNTY, VOLUSIA COUNTY),  Petitioners,	18-0530 18-0531 18-0532 18-0533

BAY COUNTY HEALTHCARE SERVICES, LLC,

Petitioner,

VS.

Case No. 18-2067

DEPARTMENT OF CHILDREN AND FAMILIES,

Respondent,

and

LAKEVIEW CENTER, INC.,

Intervenor.

ORDER CLOSING FILES AND RELINQUISHING JURISDICTION

This cause comes before the undersigned on a Joint Motion to Dismiss and Remand Cases to the Department of Children and Families. Each of the parties in these consolidated cases agrees with the motion.

One party, Bay County Healthcare Services, LLC, agrees with the Motion to Dismiss, but with the caveat that a pending motion to dismiss in the case be ruled upon first.

Based on the agreement by all parties to remand these cases back to the Department of Children and Families, there is no reason to rule on other pending motions in this matter.

Being fully advised, it is, therefore,

ORDERED that the files of the Division of Administrative Hearings are closed. Jurisdiction is relinquished to the Department of Children and Families.

DONE AND ORDERED this 25th day of June, 2018, in Tallahassee, Leon County, Florida.

R. BRUCE MCKIBBEN

Administrative Law Judge
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the Division of Administrative Hearings this 25th day of June, 2018.

#### COPIES FURNISHED:

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Colonial Management Group, LP No. 250 2500 Maitland Center Parkway Maitland, Florida 32751

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Marc Osheroff Golden Glades Treatment Center, LLC Suite 101 100 Northwest 170th Street North Miami Beach, Florida 33169

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