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STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

THE PUBLIC HEALTH TRUST OF
MIAMI-DADE COUNTY, FLORIDA
d/b/a JACKSON HOSPITAL WEST,

DOAH No. 18-0147 CON

AHCA No. 2017015445

Petitioner,

CON No. 10502

vs.

AGENCY FOR HEALTH CARE
ADMINISTRATION,

Respondent,

and

KENDALL HEALTHCARE GROUP, LTD,
d/b/a KENDALL REGIONAL MEDICAL
CENTER; CGH HOSPITAL, LTD, d/b/a
CORAL GABLES HOSPITAL; TENET
HIALEAH HEALTHSYSTEM, INC.,
d/b/a HIALEAH HOSPITAL; AND
LIFEMARK HOSPITALS, INC., d/b/a
PALMETTO GENERAL HOSPITAL,

Intervenors.

FINAL ORDER

THIS CAUSE is before the State of Florida, Agency for Health Care Administration (“the Agency”) concerning the preliminary denial of the Certificate of Need (“CON”) application of The Public Health Trust of Miami-Dade County, Florida, CON Application No. 10502, for a 100-bed general acute care hospital for health planning District 11, sub-district 1, Miami-Dade County, Florida. Notice of the Decision was published in the *Florida Administrative Register* in Volume 43, Number 242 on December 4, 2017.

1. The Public Health Trust of Miami-Dade County filed its petition for formal administrative hearing challenging the denial of its application on January 9, 2018.

2. On January 11, 2018, CGH Hospital d/b/a Coral Gables Hospital, Tenet Hialeah HealthSystem, Inc. d/b/a Hialeah Hospital and Lifemark Hospitals, Inc. d/b/a Palmetto General Hospital filed a Motion to Intervene supporting denial of the application. That motion was granted on January 30, 2018.

3. On January 12, 2018, Kendall Regional Medical Center's Motion to Intervene was filed in support of the denial. On January 16, 2018, Kendall Regional Medical Center's Motion to Intervene was granted.

4. Since then, the Florida Legislature considered and passed a Committee Substitute for a Committee Substitute to House Bill 21 (Engrossed and Enrolled, 04/29/2019), now Chapter 2019-136, Laws of Florida, concerning the partial deregulation of Florida's CON laws. The bill was approved and signed by the Governor of Florida on June 25, 2019 and is now Chapter 2019-136, Laws of Florida. Unless otherwise specified, its provisions become effective on July 1, 2019. 2019-136, Laws of Florida, § 22.

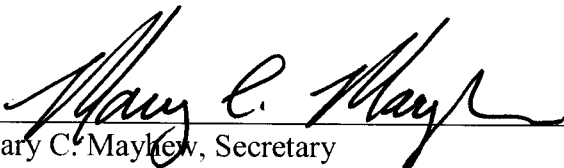
5. On July 18, 2019, having conferred with the other parties, the Agency filed a Motion to Dismiss and Memorandum of Law based on the lack of subject matter jurisdiction due to mootness as CS/CS/HB 21, now Chapter 2019-136, Laws of Florida, amended the Florida certificate of need law to remove general hospital projects such as those proposed in these matters from CON review. No party contested that the issues had been made moot by the passage of 2019-136, Laws of Florida.

It is therefore, **ORDERED**

1. The petitions for formal hearing are dismissed.

2. The denial of CON application No. 10502 is now moot. As of July 1, 2019, general acute care hospital projects are not subject to CON review. See Chapter 2019-136 Laws of Florida § 13.

ORDERED in Tallahassee, Florida, on this 21 day of August, 2019.



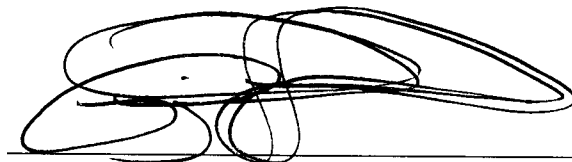
Mary C. Mayhew, Secretary
Agency for Health Care Administration

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 21st day of August, 2019.



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