

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

FILED
AHCA
AGENCY CLERK

2019 FEB 27 P 1:00

SUNRISE COMMUNITY, INC.,

Petitioner,

DOAH CASE NO.: 18-5018CON

AHCA CASE NO.: 2018013551

vs.

CON NO.: 10541

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 preliminary denial of the application for a certificate of need (“CON”) 10541 filed by Sunrise Community, Inc. (“Sunrise”) seeking to establish a 24-bed Intermediate Care Facility for the Developmentally Disabled to be located in Hardee County, Service Area 6.

1. On August 20, 2018, the Agency published a notice in the Florida Administrative Register of its decision to deny Sunrise’s application for CON 10541.

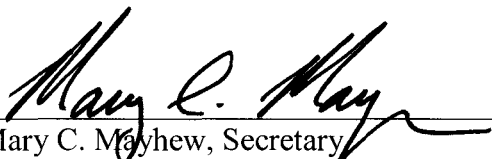
2. On September 7, 2018, Sunrise filed a Petition contesting the denial by the Agency of its application and this Petition was forwarded to the Division of Administrative Hearings.

3. On November 14, 2018, Sunrise filed a Notice of Voluntary Dismissal of its Petition challenging the denial of its application for issuance of this CON.

It is therefore, **ORDERED**

1. That the denial of CON 10541 is UPHELD.

ORDERED in Tallahassee, Florida, on this 26 day of February, 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 27th day of February, 2019.


Richard J. Shoop, Agency Clerk
Agency for Health Care Administration
2727 Mahan Drive, Mail Stop #3
Tallahassee, Florida 32308
(850) 412-3630

Copies Furnished To:

W. David Watkins
Administrative Law Judge
Division of Administrative Hearings
(Electronic Filing)

Stephen Emmanuel, Esquire
123 South Calhoun Street
Tallahassee, Florida 32301
semmanuel@ausley.com
jmcvaney@ausley.com

Steven Weinger, Esquire
2650 Southwest 27th Avenue, 2nd Floor
Miami, Florida 33133
swmiami@aol.com;

Lindsey L. Miller-Hailey, Assistant General Counsel
Kevin Michael Marker, Assistant General Counsel
Office of the General Counsel
Agency for Health Care Administration
(Electronic Mail)

Janice K. Mills, Government Analyst II
Facilities Intake Unit
Agency for Health Care Administration
(Electronic Mail)

Marisol M. Fitch, Unit Manager
Certificate of Need Unit
Agency for Health Care Administration
(Electronic Mail)

Bernard Hudson, Unit Manager
Long Term Care Unit
Agency for Health Care Administration
(Electronic Mail)