

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

2018 DEC 18 A 10:33

PRUITTHEALTH – PANAMA CITY, LLC,

Petitioner,

AHCA NO. 2018013548

CON NO. 10528

vs.

CASE NO. 18-5048CON

RENDITION NO.: AHCA-18 - 0463 -S-OLC

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent.

FINAL ORDER

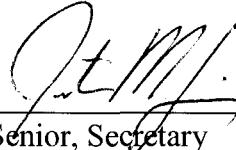
THIS CAUSE is before the State of Florida, Agency for Health Care Administration (“the Agency”) concerning the preliminary denial of Certificate of Need (“CON”) 10528 filed by PRUITTHEALTH – PANAMA CITY, LLC (“PruittHealth”) to add twenty-four (24) community nursing home beds to the approved 77-bed community nursing home project (CON Application No. 10245) in District 2, Subdistrict 2-2 Bay County, Florida.

1. On August 20, 2018, the Agency published notice in the Florida Administrative Register of its decision regarding the preliminary denial of CON 10528.
2. On September 7, 2018, PruittHealth filed a Petition for Formal Administrative Hearing contesting the denial of its CON 10528.
3. The parties have since entered into a Settlement Agreement. (Ex. 1)

It is therefore **ORDERED**:

1. The attached Settlement Agreement is approved and adopted as part of this Final Order. parties shall comply with the terms of the Settlement Agreement, which are incorporated reference into this Final Order. The parties are directed to comply with the terms of the Settlement Agreement.
2. The Agency shall issue CON 10528 to PruittHealth – Panama City, LLC.

ORDERED in Tallahassee, Florida, on this 17th day of December, 2018.



Justin 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 18th day of December, 2018.



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

Copies:

Geoffrey Smith, Esquire
Susan Smith, Esquire
Sabrina Dieguez, Esquire
Suite 202, 1499, South Harbor City Boulevard
Melbourne, Florida 32901
geoff@smithlawtlh.com
susan@smithlawtlh.com
sabrina@smithlawtlh.com
katherine@smithlawtlh.com
dianne@smithlawtlh.com
(Electronic Mail)

Richard Joseph Saliba, 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)