

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

ADVENTIST HEALTH SYSTEM/  
SUNBELT, INC. d/b/a FLORIDA  
HOSPITAL ORLANDO, d/b/a FLORIDA  
HOSPITAL ALTAMONTE, d/b/a  
FLORIDA HOSPITAL APOPKA, d/b/a  
FLORIDA HOSPITAL CELEBRATION  
HEALTH, d/b/a FLORIDA HOSPITAL  
EAST ORLANDO, d/b/a FLORIDA  
HOSPITAL KISSIMMEE and d/b/a  
WINTER PARK MEMORIAL HOSPITAL,

DOAH NO. 19-0182CON  
CON NO. 10548  
AHCA NO. 2019000381

Petitioner,

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION, and  
CENTRAL FLORIDA REGIONAL  
HOSPITAL, INC.,

Respondents.

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ORLANDO HEALTH, INC. d/b/a  
ORLANDO HEALTH SOUTH SEMINOLE  
HOSPITAL,

DOAH NO. 19-0183CON  
CON NO. 10548  
AHCA NO. 2019000358

Petitioner,

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION, and  
CENTRAL FLORIDA REGIONAL  
HOSPITAL, INC.,

Respondents.

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ADVENTIST HEALTH SYSTEM/  
SUNBELT, INC. d/b/a FLORIDA  
HOSPITAL ORLANDO, d/b/a FLORIDA  
HOSPITAL ALTAMONTE, d/b/a  
FLORIDA HOSPITAL APOPKA, d/b/a  
FLORIDA HOSPITAL CELEBRATION  
HEALTH, d/b/a FLORIDA HOSPITAL  
EAST ORLANDO, d/b/a FLORIDA  
HOSPITAL KISSIMMEE and d/b/a  
WINTER PARK MEMORIAL HOSPITAL,

Petitioner,

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION, and  
ORLANDO HEALTH, INC. d/b/a  
ORLANDO HEALTH SOUTH SEMINOLE  
HOSPITAL,

Respondents.

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DOAH NO. 19-0184CON  
CON NO. 10549  
AHCA NO. 2019000383

CENTRAL FLORIDA REGIONAL  
HOSPITAL, INC.,

Petitioner,

vs.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION, and  
ORLANDO HEALTH, INC., d/b/a  
ORLANDO HEALTH SOUTH SEMINOLE  
HOSPITAL,

Respondents.

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DOAH NO. 19-0185CON  
CON NO. 10549  
AHCA NO. 2018018737

**FINAL ORDER**

THIS CAUSE is before the State of Florida, Agency for Health Care Administration (“the

Agency”) concerning the preliminary approval of Central Florida Regional Hospital, Inc.’s (“CFRH”) Certificate of Need (“CON”) application No. 10548 to establish a 40-bed acute care hospital and the preliminary approval of Orlando Health, Inc.’s (“Orlando Health”) CON application No. 10549 to establish a 100-bed acute care hospital in District 7, Sub-district 4, Seminole County, Florida.

1. The Agency published a notice of its decision granting the preliminary approvals of CON applications Nos. 10548 and 10549 in the *Florida Administrative Register*, Volume 45, Number 112, on December 10, 2018.

2. On December 21, 2018, CFRH filed a petition contesting the approval of CON No. 10549 for Orlando Health.

3. On December 28, 2018, Orlando Health filed a petition contesting the approval of CON No. 10548 for CFRH.

4. On December 28, 2018, Adventist Health System/Sunbelt, Inc. (“Adventist Health”) on behalf of its hospitals in District 7, filed Petitions for Formal Administrative Hearing contesting the preliminary approval of CON No. 10548 to Central Florida Regional Hospital, Inc. and contesting the approval of CON No. 10549 to Orlando Health. All four petitions were referred to the Division of Administrative Hearings for a *de novo* review of the decisions. On January 14, 2019, Adventist Health filed an amended petition contesting approval of CON 10549, after its initial petition had been referred to the Division of Administrative Hearings.

5. On July 3, 2019, the Agency filed a Motion to Dismiss and Memorandum of Law based on the lack of subject matter jurisdiction due to mootness as HB 21, now 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. An Order to Show Cause was entered as to

why the consolidated cases should not be dismissed for the reasons stated in the Agency's motion.

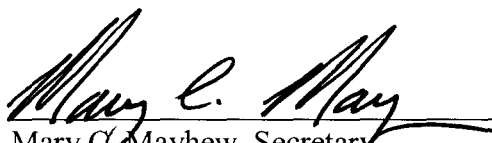
6. On July 8, 2019, Orlando Health and CFRH filed Notices of Voluntary Dismissal.
7. On July 11, 2019, Adventist Health filed a Notice of Voluntary Dismissal.
8. On July 11, 2019, the Administrative Law Judge entered an Order Closing Case

File and Relinquishing Jurisdiction to the Agency.

It is therefore, **ORDERED**

1. The petitions for formal hearing are dismissed.
2. The approvals of CON applications No. 10548 and No. 10549 are now moot. As of July 1, 2019, general acute care hospital projects are not subject to CON review. *See* 2019-136 Laws of Florida § 13.

**ORDERED** in Tallahassee, Florida, on this 5 day of August, 2019.

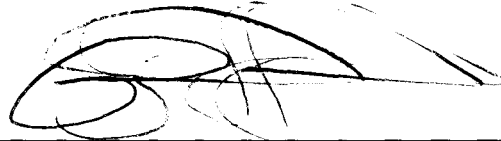
  
Mary C. Mayhew, Secretary  
Agency for Health Care Administration

**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 5<sup>th</sup> day of August, 2019.



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

Robert S. Cohen  
Administrative Law Judge  
Division of Administrative Hearings  
(Electronic Filing)

Mia L. McKown, Esquire  
315 South Calhoun Street, Suite 600  
Tallahassee, Florida 32301  
mia.mckown@hkllaw.com  
jennifer.gillis@hkllaw.com  
(Electronic Mail)

Stephen Boone, Esquire  
1001 Avenida Del Circo  
Post Office Box 1596  
Venice, Florida 34284  
sboone@boone-law.com  
pwilliamson@boone-law.com  
(Electronic Mail)

Karen Putnal, Esquire  
Ian Waldick, Esquire  
118 N Gadsden St  
Tallahassee FL, 32301  
kputnal@moylelaw.com  
iwaldick@moylelaw.com  
mqualls@moylelaw.com  
(Electronic Mail)

Stephen A. Ecenia, Esquire  
Craig D. Miller, Esquire  
Jennifer Hinson, Esquire  
Gabriel Warren, Esquire  
Rutledge Ecenia, P.A.  
119 South Monroe Street, Suite 202  
Tallahassee, Florida 32301  
[steve@reuphlaw.com](mailto:steve@reuphlaw.com)  
[cmiller@rutledge-ecenia.com](mailto:cmiller@rutledge-ecenia.com)  
[jennifer@rutledge-ecenia.com](mailto:jennifer@rutledge-ecenia.com)  
[gwarren@rutledge-ecenia.com](mailto:gwarren@rutledge-ecenia.com)  
[Lauren@rutledge-ecenia.com](mailto:Lauren@rutledge-ecenia.com)  
[vicki@rutledge-ecenia.com](mailto:vicki@rutledge-ecenia.com)  
(Electronic Mail)

Julia E. Smith, 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)

Jack Plagge, Unit Manager,  
Hospital and Outpatient Services Unit  
Agency for Health Care Administration  
(Electronic Mail)