

2019 JUN 20 P 12:05

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

PRUITTHEALTH - HILLSBOROUGH
COUNTY, LLC,

Petitioner,

vs.

HILLSBOROUGH COUNTY NURSING
AND REHAB CENTER, LLC, and
STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent.

DOAH Case No. 19-1560CON

AHCA Case No. 2019003517

CON Nos. 10552, 10553

RENDITION NO.: AHCA- 19 - 0531 -S-OLC

FINAL ORDER

THIS CAUSE comes before the State of Florida, Agency For Health Care Administration (the "Agency") concerning the challenge of the preliminary approval of Certificate of Need ("CON") Application No. 10552, filed by Hillsborough County Nursing and Rehab Center, LLC ("HCNRC"), to add 73-bed community nursing home beds, and the preliminary denial of CON Application No. 10553, filed by Pruitthealth–Hillsborough County, LLC ("Pruitthealth"). The Agency published notice of its preliminary decisions in the Florida Administrative Register, Vol.45, No. 33 on February 18, 2019.

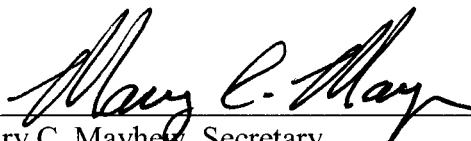
1. Pruitthealth filed a petition for hearing challenging the denial by the Agency of its application as well as the approval of HCNRC's application. The petition was forwarded to the Division of Administrative Hearings.

2. The parties have since agreed that a fair, efficient and cost-effective resolution of the dispute would avoid the uncertainty of litigation and have entered into the attached settlement agreement.

It is therefore **ORDERED**:

1. The Petition for hearing is dismissed.
2. The preliminary approval of CON Application 10552 is upheld, but for only a sixty-seven (67) bed community nursing home.
3. The preliminary denial of CON Application 10553 is withdrawn and the application is now approved, but for only six (6) community nursing home beds.

ORDERED in Tallahassee, Florida, on this 19 day of June, 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 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 this Final Order was has been furnished by the method designated to the persons named below on this 20th day of June, 2019.



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