

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

DOAH CASE NO.: 19-1700  
AHCA CASE NO.: 2019002108

2019001384

License No.: 13008

File No.: 11969184

Provider Type: Assisted Living Facility

Petitioner,

v.

**RENDITION NO.: AHCA-19 - 0662-S-OLC**

SEVILLA ALF, LLC,

Respondent.

**FINAL ORDER**

Having reviewed the Administrative Complaint, and all other matters of record, the Agency for Health Care Administration finds and concludes as follows:

1. The Agency entered an Emergency Suspension Order AHCA Case Number 2019001384 on January 31, 2019, suspending the Respondent's license to operate the assisted living facility effective February 1, 2019.

2. The Agency issued the attached Administrative Complaint and Election of Rights form to the Respondent. (Ex. 1) The Election of Rights form advised of the right to an administrative hearing.

3. The parties have since entered into the attached Settlement Agreement. (Ex. 2)

Based upon the foregoing, it is **ORDERED**:

4. The Settlement Agreement is adopted and incorporated by reference into this Final Order. The parties shall comply with the terms of the Settlement Agreement.

5. The Agency's Emergency Suspension Order is upheld.

6. The Respondent's license to operate the Facility (License Number 13008) and any specialty licenses related to this Facility, be they active, standard, temporary, conditional, provisional, in litigation or otherwise, are hereby deemed to be surrendered upon entry of the Final Order.

7. No later than August 31, 2019, Daniel Diaz Alejo, Individually, shall fully divest his ownership interest, in any business entity which holds licensure or Medicaid provider contracts administered by the Agency for Health Care Administration.

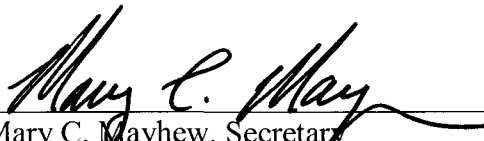
8. Daniel Diaz Alejo, individually, and pursuant to § 429.14(3), Fla. Stat., for a period of no less than five years from the date of the Final Order in this case, will not apply for or hold, directly or indirectly, any type of license issued by the Agency, or exercise any type of control, directly or indirectly,

over any Agency licensee.

9. The Respondent shall pay the Agency \$25,388.75. If full payment has been made, the cancelled check acts as receipt of payment and no further payment is required. If full payment has not been made, payment is due within 30 days of the Final Order. Overdue amounts are subject to statutory interest and may be referred to collections. A check made payable to the "Agency for Health Care Administration" and containing the AHCA ten-digit case number should be sent to:

Central Intake Unit  
Agency for Health Care Administration  
2727 Mahan Drive, Mail Stop 61  
Tallahassee, Florida 32308

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

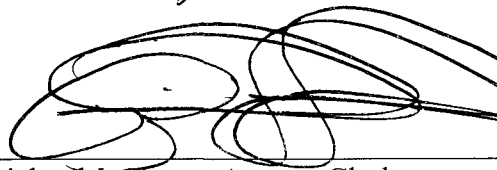
  
\_\_\_\_\_  
Mary C. Mayhew, Secretary  
Agency for Health Care Administration

**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 one copy of a notice of appeal with the Agency Clerk of AHCA, and a second copy, along with filing fee as 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 rendition of the order to be reviewed.

**CERTIFICATE OF SERVICE**

I **CERTIFY** that a true and correct copy of this Final Order was served on the below-named persons by the method designated on this 5<sup>th</sup> day of August, 2019.

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

Facilities Intake Unit Agency for Health Care Administration (Electronic Mail)	Teresita A. Vivó, Senior Attorney Office of the General Counsel Agency for Health Care Administration (Electronic Mail)
Central Intake Unit Agency for Health Care Administration (Electronic Mail))	Christopher A. Parrella, Esquire Representative for Sevilla ALF, LLC The Health Offices of Anthony C. Vitale, P.A. 2333 Brickell Avenue, Suite A-1 Miami, Florida 33129 (U.S. Mail)
The Honorable Robert L. Kilbride Administrative Law Judge Division of Administrative Hearings The Desoto Building 1230 Apalachee Parkway Tallahassee, Florida 32399-3060 (Electronic Mail)	Daniel Diaz-Alejo, Manager and 100% Owner Sevilla ALF, LLC 12199 SW 51 Street Miami, Florida 33175 (U.S. Mail)
Katrina Derico-Harris Medicaid Accounts Receivable Agency for Health Care Administration (Electronic Mail)	Shawn McCauley Medicaid Contract Management Agency for Health Care Administration (Electronic Mail)
Arlene Mayo-Davis, Field Office Manager Local Field Office Agency for Health Care Administration (Electronic Mail)	Keisha Woods, Unit Manager Assisted Living Unit Agency for Health Care Administration (Electronic Mail)c