

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

2019 JUN 13 P 12:58

GENESIS ADULT CARE, INC.  
d/b/a AMOR DE DIOS,

Petitioner,

v.

STATE, OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Respondent.

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DOAH No. 19-1916  
AHCA No. 2018018614  
Facility Type: ALF  
License No. 10069

**RENDITION NO.: AHCA-19 - 0520 -S-OLC**

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

GENESIS ADULT CARE, INC.  
d/b/a AMOR DE DIOS,

Respondent.

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DOAH Nos. 19-1917  
19-2010  
AHCA Nos. 2018016616  
2019002202  
Facility Type: ALF  
License No. 10069

LOVE OF PEACE, LLC,

Petitioner,

v.

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Respondent.

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AHCA No. 2018015075  
Facility Type: ALF  
License No. 11940

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

PRINCE OF PEACE ELDERLY CARE  
FACILITY, INC.,

Respondent.

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AHCA Nos. 2019002554  
2019002555  
2019002556  
Facility Type: ALF  
License No. 8807

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

LOVE OF PEACE, LLC,

Respondent.

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AHCA Nos. 2018016647  
2019002019  
2018016640  
Facility Type: ALF  
License No. 11940

### **FINAL ORDER**

THIS CAUSE came on for consideration before the Agency for Health Care Administration (“the Agency”), which finds and concludes as follows:

1. The Agency issued the Genesis Adult Care, Inc. d/b/a/ Amor de Dios (hereinafter "Amor de Dios") the attached Notice of Intent to Deny [AHCA No. 2018018614] (Ex. 1), and Administrative Complaints [AHCA No. 2018016616] (Ex. 2), [AHCA No. 2019002202] (Ex. 3).
2. The Agency issued the Love of Peace, LLC (hereinafter "Love of Peace"), the attached Notice of Intent to Deny [AHCA No. 2018006691] (Ex. 4).
3. The Agency issued the Prince of Peace Elderly Care Facility, Inc. (hereinafter "Prince of Peace"), an Administrative Complaint [AHCA Nos. 2018016647, 2019002019 and 2018016640]. (Ex. 5)
4. The parties have since entered into the attached Settlement Agreement. (Ex. 6)
5. The Settlement Agreement is adopted and incorporated by reference into this Final Order. The parties shall comply with the terms of the Settlement Agreement.

6. The Amor de Dios assisted living facility (License No. 10069) and the Love of Peace assisted living facility (License No. 11940) license renewal applications are withdrawn effective June 30, 2019.

7. The Administrative Complaints, AHCA Case numbers 2018016647, 2019002019, and 2018016640, are withdrawn without prejudice.

8. The provider, Prince of Peace, shall pay the Agency \$2,250.00. 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 on or before June 30, 2019. 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

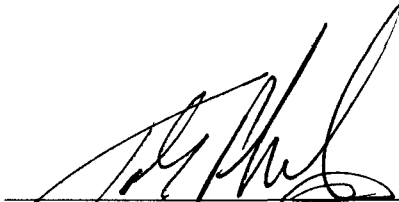
9. The conditions against Amor de Dios, Love of Peace and Elvis Quintana, Individually, identified in paragraph 4 f<sup>i</sup> of the Settlement Agreement are imposed.

10. Amor de Dios and Love of Peace are responsible for any refunds that may be due to any clients.

11. Amor de Dios and Love of Peace shall remain responsible for retaining and appropriately distributing client records as prescribed by Florida law. Amor de Dios and the Love of Peace are advised of Section 408.810, Florida Statutes. Amor de Dios and the Love of Peace should also consult the applicable authorizing statutes and administrative code provisions as well as any other statute that may apply to health care practitioners regarding client records.

12. Amor de Dios and Love of Peace are given notice of Florida law regarding unlicensed activity. Amor de Dios and the Love of Peace are advised of Section 408.804 and Section 408.812, Florida Statutes. Amor de Dios and the Love of Peace should also consult the applicable authorizing statutes and administrative code provisions.

**ORDERED** in Tallahassee, Florida, on this 12 day of June, 2019.

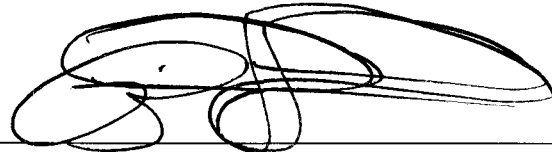
  
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Mary C. Mayhew, Secretary  
Agency for Health Care Administration

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

A party that is adversely affected by this Final Order is entitled to seek 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 HEREBY CERTIFY that a true and correct copy of this Final Order was served on the below-named persons by the method designated on this 13<sup>th</sup> day of June, 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)	Keisha Woods, Unit Manager Licensure Unit Agency for Health Care Administration (Electronic Mail)
Central 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)
Katrina Derico-Harris Medicaid Accounts Receivable Agency for Health Care Administration (Electronic Mail)	Gisela Iglesias, Senior Attorney Office of the General Counsel Agency for Health Care Administration (Electronic Mail)
Shawn McCauley Medicaid Contract Management Agency for Health Care Administration (Electronic Mail)	Elvis Quintana, Controlling Interest Genesis Adult Care, Inc., d/b/a Amore de Dios; Love of Peace, LLC and Prince of Peace Elderly Care Facility, Inc. (U.S. Mail)

Arlene Mayo-Davis, Field Office Manager Local Field Office Agency for Health Care Administration (Electronic Mail)	Michael P. Gennett, Esquire Polsinelli 1111 Brickel Avenue, Suite 2800 Miami, FL 33131-3127 <a href="mailto:michael.gennett@polsinelli.com">michael.gennett@polsinelli.com</a> (Electronic Mail)
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## **NOTICE OF FLORIDA LAW**

### **408.804 License required; display.--**

- (1) It is unlawful to provide services that require licensure, or operate or maintain a provider that offers or provides services that require licensure, without first obtaining from the agency a license authorizing the provision of such services or the operation or maintenance of such provider.
- (2) A license must be displayed in a conspicuous place readily visible to clients who enter at the address that appears on the license and is valid only in the hands of the licensee to whom it is issued and may not be sold, assigned, or otherwise transferred, voluntarily or involuntarily. The license is valid only for the licensee, provider, and location for which the license is issued.

### **408.812 Unlicensed activity. --**

- (1) A person or entity may not offer or advertise services that require licensure as defined by this part, authorizing statutes, or applicable rules to the public without obtaining a valid license from the agency. A licenseholder may not advertise or hold out to the public that he or she holds a license for other than that for which he or she actually holds the license.
- (2) The operation or maintenance of an unlicensed provider or the performance of any services that require licensure without proper licensure is a violation of this part and authorizing statutes. Unlicensed activity constitutes harm that materially affects the health, safety, and welfare of clients. The agency or any state attorney may, in addition to other remedies provided in this part, bring an action for an injunction to restrain such violation, or to enjoin the future operation or maintenance of the unlicensed provider or the performance of any services in violation of this part and authorizing statutes, until compliance with this part, authorizing statutes, and agency rules has been demonstrated to the satisfaction of the agency.
- (3) It is unlawful for any person or entity to own, operate, or maintain an unlicensed provider. If after receiving notification from the agency, such person or entity fails to cease operation and apply for a license under this part and authorizing statutes, the person or entity shall be subject to penalties as prescribed by authorizing statutes and applicable rules. Each day of continued operation is a separate offense.
- (4) Any person or entity that fails to cease operation after agency notification may be fined \$1,000 for each day of noncompliance.
- (5) When a controlling interest or licensee has an interest in more than one provider and fails to license a provider rendering services that require licensure, the agency may revoke all licenses and impose actions

under s. 408.814 and a fine of \$1,000 per day, unless otherwise specified by authorizing statutes, against each licensee until such time as the appropriate license is obtained for the unlicensed operation.

(6) In addition to granting injunctive relief pursuant to subsection (2), if the agency determines that a person or entity is operating or maintaining a provider without obtaining a license and determines that a condition exists that poses a threat to the health, safety, or welfare of a client of the provider, the person or entity is subject to the same actions and fines imposed against a licensee as specified in this part, authorizing statutes, and agency rules.

(7) Any person aware of the operation of an unlicensed provider must report that provider to the agency.

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<sup>i</sup> Nothing in this Agreement addresses or may be deemed to affect the licensure renewal application and proceedings for Prince of Peace Elderly Care Facility, Inc. located at 13232 Northwest 9<sup>th</sup> Lane, Miami, Florida 33182, License number 8807. Nothing in this Agreement limits or encumbers the Agency or Prince of Peace Elderly Care Facility, Inc. in the prosecution or defense of the licensure action pending in Prince of Peace Elderly Care Facility, Inc. v. State of Florida, Agency for Healthcare Administration, Agency number 2019003935.