

STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED  
AHCA  
AGENCY CLERK

2020 JAN -3 A 10: 16

STATE OF FLORIDA, AGENCY FOR  
HEALTH CARE ADMINISTRATION,

Petitioner,

v.

ADVANCED BEHAVIORAL  
ASSOCIATION, LLC,

Respondent.

DOAH CASE NO. 19-3229MPI

MPI CASE ID: 2017-0008073

PROVIDER NO. 019514000

RENDITION NO.: AHCA- 19 - 016 -FOF-MDO

**FINAL ORDER**

This case was referred to the Division of Administrative Hearings (“DOAH”) where the assigned Administrative Law Judge (“ALJ”), June C. McKinney, issued a Recommended Order after conducting a formal hearing. At issue in this proceeding is whether five of Respondent’s employees meet the required criteria to be eligible to provide behavior analysis services, and, if not, what is the Medicaid overpayment amount Respondent owes to Petitioner. The Recommended Order dated November 20, 2019, is attached to this Final Order and incorporated herein by reference.

**RULING ON EXCEPTIONS**

The parties did not file any exceptions to the Recommended Order.

**FINDINGS OF FACT**

The Agency adopts the findings of fact set forth in the Recommended Order.

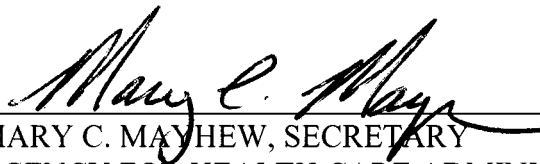
**CONCLUSIONS OF LAW**

The Agency adopts the conclusions of law set forth in the Recommended Order.

**IT IS THEREFORE ADJUDGED THAT:**

Respondent is hereby required to repay the Agency \$207,082.92 in overpayments, plus interest at a rate of ten (10) percent per annum as required by Section 409.913(25)(c), Florida Statutes, to the Agency. Additionally, the Agency hereby imposes sanctions and costs in the amount of \$2,500.00 on Respondent. Respondent shall make full payment of the overpayment, sanctions and costs to the Agency for Health Care Administration within 30 days of the rendition date of this Final Order unless other payment arrangements have been agreed to by the parties. Respondent shall pay by check payable to the Agency for Health Care Administration and mailed to the Agency for Health Care Administration, Office of Finance and Accounting, 2727 Mahan Drive, Mail Stop 14, Tallahassee, Florida 32308.

**DONE and ORDERED** this 2 day of January, 2020 in Tallahassee, Florida.

  
\_\_\_\_\_  
MARY C. MAYHEW, SECRETARY  
AGENCY FOR HEALTH CARE ADMINISTRATION

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

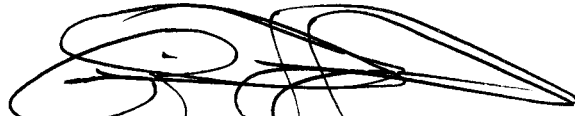
A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW, WHICH SHALL BE INSTITUTED BY FILING THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK OF AHCA, AND A COPY ALONG WITH THE FILING FEE PRESCRIBED BY LAW WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE 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 the foregoing Final Order has been furnished to the persons named below by the method designated on this 3<sup>rd</sup> day of

January, 2020.



RICHARD J. SHOOP, Agency Clerk  
Agency for Health Care Administration  
2727 Mahan Drive, MS #3  
Tallahassee, Florida 32308  
(850) 412-3630

COPIES FURNISHED TO:

Honorable June C. McKinney  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(via electronic filing)

Kimbery S. Murray, Esquire  
Ryan McNeill, Esquire  
Assistant General Counsels  
(via electronic mail)

Varinia F. Cabrera, Psy.D.  
Advanced Behavioral Association, LLC  
7925 Northwest 12<sup>th</sup> Street, Suite 118  
Doral, Florida 33216-1820  
(via U.S. mail)

Medicaid Program Integrity  
Office of the Inspector General  
(via electronic mail)

Medicaid Accounts Receivable  
Finance & Accounting  
(via electronic mail)