

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

2019 SEP 26 P 12: 24

SUNRISE COMMUNITY, INC.,

Petitioner,

vs.

Case No. 19-4177

VERSA No. 2016007891

Engagement No. DD16-015C

Case No. 19-4179

VERSA No. 2016007893

Engagement No. DD16-017C

Case No. 19-4181

VERSA No. 2016007895

Engagement No. DD16-019C

Case No. 19-4178

VERSA No. 2016007892

Engagement No. DD16-016C

Case No. 19-4180

VERSA No. 2016007894

Engagement No. DD16-018C

Case No. 19-4182

VERSA No. 2016007896

Engagement No. DD16-020C

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent.

FINAL ORDER

THIS CAUSE comes before the AGENCY FOR HEALTH CARE ADMINISTRATION (the "Agency") concerning six (6) examination reports for the period ending June 30, 2014. In letters dated March 6, 2019, Petitioner was informed that the Agency had completed an examination of its Medicaid cost reports for the reporting period specified in the letters. The letters consisted of examination reports that notified Petitioner of adjustments to its cost reports for the reporting period specified in each letter. Adjustments to the cost report impact the rate of Medicaid payments to Petitioner. A retroactive rate adjustment can result in an overpayment determination for which Petitioner is obligated to repay. The original Examination Reports are attached hereto and incorporated by reference herein as Composite Exhibit A.

The Petitioner filed a Petition for Formal Administrative Hearing with respect to the Examination Reports that was forwarded by the Agency Clerk to the Division of Administrative Hearings (“DOAH”).

On August 14, 2019, the Agency agreed to revise the Examination Reports, and filed Amended Examination Reports with DOAH. The revisions were by handwritten notes and interlineations to the original Examination Reports. The Amended Examination Reports are attached hereto and incorporated by reference as Composite Exhibit B.

On August 30, 2019, the Petitioner filed its Request for Entry of Recommended Order Adopting the Amended Examination Reports, and agreed to the voluntary dismissal of the six (6) consolidated DOAH cases. The Request is attached as Exhibit C.


On September 5, 2019, an Order Closing Case and Relinquishing Jurisdiction was issued by DOAH as a result of the voluntary dismissal.

ORDER

BASED on the foregoing, it is hereby **ORDERED** and **ADJUDGED**:

1. The Agency incorporates and adopts the statements and conclusions of law as set forth in the attached Composite Exhibit B. By virtue of Petitioner’s voluntary dismissal, the facts support the conclusion that the cost report adjustments are true and accurate and form the basis for any corresponding rate adjustments.
2. The rate adjustments will be assessed immediately and any overpayments which resulted are due and owing to the Agency. Notice of the rate adjustment and any overpayments which result from the retroactive rate adjustment will be conveyed to Petitioner. At that time, Petitioner is obligated to repay the overpayment or make satisfactory arrangements with the Agency.
3. The above-styled case is closed.

DONE and ORDERED this 26 day of Sept., 2019, in Tallahassee, Leon County, Florida.



MARY C. MAYHEW, SECRETARY
Agency for Health Care Administration

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO A 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 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.

Copies furnished to:

Sunrise Community, Inc.
9040 Sunset Drive
Miami, FL 33173
(U.S. Mail)

Steven M. Weinger, Esq.
1881 S. Bayshore Drive
Miami, FL 33133
Weingerlaw@gmail.com
(Electronic mail)

Toriano Hatcher
Audit Services Administrator
(Electronic mail)

Zainab Day, Regulatory Analyst Supervisor,
MPF
(Electronic Mail)

Bureau of Financial Services
(Electronic mail)

Deborah Kenon, Government Operations
Consultant, MPF
(Electronic Mail)

Steven Malono, Esq.
Office of General Counsel
(Electronic mail)

Stefan R. Grow, General Counsel
(Electronic Mail)

State of Florida, Division of Administrative
Hearings
The Desoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Shena L. Grantham, Esquire
MAL & MPI Chief Counsel
(by Electronic Mail)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to the above named addressees by U.S. Mail or other designated method on this the 26th day of September, 2019.



Richard J. Shoop, Esquire
Agency Clerk
State of Florida
Agency for Health Care Administration
2727 Mahan Drive, MS #3
Tallahassee, Florida 32308-5403
(850) 412-3689/FAX (850) 921-0158