

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

2020 AUG -6 P 1:00

SUMIKO COLLINS,

DOAH No.: 20-0557

Petitioner,

AHCA No. 2019013331

License No. 6906921

File No. 52963380

vs.

Provider Type: Adult Family Care Home

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondent.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

DOAH No.: 20-0558

Petitioner,

AHCA No. 2019012638

Registration No. 234589

File No. 39969423

v.

Provider Type: Homemaker & Companion Service

COLLINS COMPANION CARE, LLC,

Respondent.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

DOAH No.: 20-0560

Petitioner,

AHCA No. 2019009738

v.

SUMIKO COLLINS,

Respondent.

STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

DOAH No.: 20-0635

Petitioner,

AHCA No. 2019009739

RENDITION NO.: AHCA-20-522 -S-OLC

v.

COLLINS COMPANION CARE, LLC, and
SUMIKO COLLINS,

Respondent.

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 to Sumiko Collins ("Ms. Collins") the attached Amended Notice of Intent to Deny for Renewal Adult Family Care Home Application, Administrative Complaints and Election of Rights Forms. (Ex. 1, Ex. 3 and Ex.4) The Agency issued Collins Companion Care, LLC ("CCC") Administrative Complaints and Election of Rights forms. (Ex. 2 and Ex. 4) The parties have since entered into the attached Settlement Agreement (Ex. 5), which is adopted and incorporated by reference.

2. The Amended Notice of Intent to Deny Renewal Application is withdrawn and the Agency shall resume the processing of the Ms. Collins’s application to operate an adult family care home.

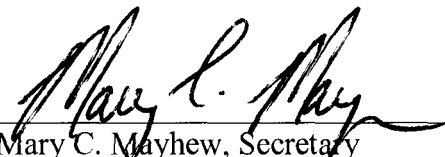
3. The Agency's action seeking license revocation of Ms. Collins’ adult family care home license (License number 6906921) is dismissed. In lieu of license revocation, Ms. Collins shall pay an administrative fine of twenty-three thousand two hundred dollars (\$23,200.00) to the Agency within twelve (12) months from the issuance of this Final Order. 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 twelve (12) months 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

4. The registration to operate a homemaker and companion service provider (Registration No. 234589) held by CCC is surrendered. In accordance with Florida law, CCC is responsible for retaining and appropriately distributing all client records within the timeframes prescribed in the authorizing statutes and applicable administrative code provisions. CCC is advised of Section 408.810, Florida Statutes.

5. The parties shall comply with all other terms of the Settlement Agreement, including the restriction on seeking and obtaining licensure set out in paragraph 4 of the Settlement Agreement.

ORDERED at Tallahassee, Florida, on this 6 day of August, 2020.



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 6th day of August, 2020.



Richard J. Sheop, 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 Wood, Unit Manager Assisted Living Unit Agency for Health Care Administration (Electronic Mail)
Central Intake Unit Agency for Health Care Administration (Electronic Mail)	Bernard Hudson, Unit Manager Long Term Care Unit Agency for Health Care Administration (Electronic Mail)
Katrina Derico-Harris Medicaid Accounts Receivable Agency for Health Care Administration (Electronic Mail)	Theresa DeCanio, Field Office Manager Local Field Office Agency for Health Care Administration (Electronic Mail)
Nicholas Constantino Medicaid Contract Management Agency for Health Care Administration (Electronic Mail)	Rawsi Williams, Esq. Counsel for Sumiko Collins and Collins Companion Care, LLC rawsi@rawsi.com; AJoseph@rawsi.com; and service@rawsi.com (Electronic Mail)
The Honorable John D. C. Newton, II Administrative Law Judge Division of Administrative Law Hearings (Electronic Filing)	Gisela Iglesias, Assistant General Counsel Office of the General Counsel Agency for Health Care Administration (Electronic Mail)

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.