

STATE OF FLORIDA
AGENCY FOR HEALTH CARE ADMINISTRATION

FILED
AHCA
AGENCY CLERK

2021 AUG 24 P 2: 20

SEASONS HOSPICE & PALLIATIVE
CARE OF BREVARD COUNTY, LLC,

Petitioner,

vs.

AMEDISYS HOSPICE, LLC; and
STATE OF FLORIDA, AGENCY FOR
HEALTH CARE ADMINISTRATION,

Respondents,

and

HOSPICE OF ST. FRANCIS, INC., d/b/a
ST. FRANCIS REFLECTIONS HOSPICE,

Intervenor.

AMEDISYS HOSPICE, LLC,

Petitioner,

vs.

SEASONS HOSPICE & PALLIATIVE
CARE OF BREVARD COUNTY, LLC,

Respondent,

and

HOSPICE OF ST. FRANCIS, INC., d/b/a
ST. FRANCIS REFLECTIONS HOSPICE,

Intervenor.

DOAH Case No. 21-2378CON
AHCA Case No. 2021009745
CON 10652
CON 10654

DOAH Case No. 21-2392CON
AHCA Case No. 2021010248
CON 10652
CON 10654

FINAL ORDER

THIS CAUSE is before the State of Florida, Agency for Health Care Administration (“the

Agency”) concerning the Agency’s preliminary decisions to grant Certificate of Need (“CON”) Application No. 10652 filed by Amedisys Hospice, LLC, (“Amedisys”) to establish a new hospice program in District 7A, Brevard County, and to deny CON Application No. 10654 filed by Seasons Hospice & Palliative Care of Brevard County, LLC (“Seasons”).

1. On June 21, 2021, the Agency published a notice in Vol. 47, No. 119 of the Florida Administrative Register setting out its preliminary decisions granting CON Application No. 10652 filed by Amedisys to establish a new hospice program in District 7A, Brevard County, and denying CON Application No. 10653 filed by Halifax and CON Application No. 10643 filed by Seasons.

2. Seasons filed a Petition for Formal Administrative Hearing contesting the preliminary denial of its CON Application No. 10654 and the preliminary approval of Amedisys’s CON Application No. 10652.

3. Amedisys filed an Amended Petition for Formal Administrative Hearing in support of the Agency’s preliminary approval of its CON Application No. 10652, and the preliminary denial of CON Application No. 10653 filed by Halifax and CON Application No. 10654 filed by Seasons.

4. Halifax withdrew its Petition for Formal Administrative Hearing prior to any of the Petitions being referred to the Division of Administrative Hearings (“DOAH”).

5. Thereafter, the Petitions filed by Seasons and Amedisys were referred to DOAH.

6. On August 6, 2021, Hospice of St. Francis, Inc., d/b/a St. Francis Reflections Hospice (“St. Francis”) filed an unopposed Motion to Intervene, which was granted.

7. On August 18, 2021, Seasons filed a Notice of Voluntary Dismissal of its Petition.

8. On August 18, 2021, Amedisys filed a Notice of Voluntary Dismissal of its Petition.

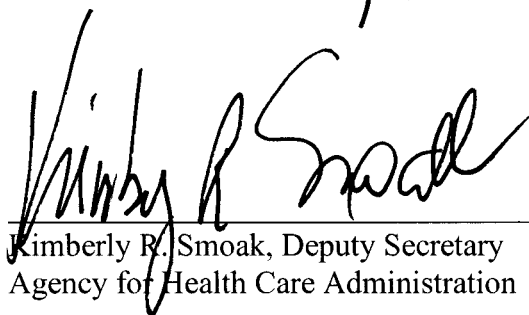
9. On August 20, 2021, DOAH entered an Order Closing File and Relinquishing

Jurisdiction.

It is therefore, **ORDERED:**

1. The approval of CON Application No. 10652 is UPHELD.
2. The denial of CON Application No. 10654 is UPHELD.

ORDERED in Tallahassee, Florida, on this 24th day of August, 2021.



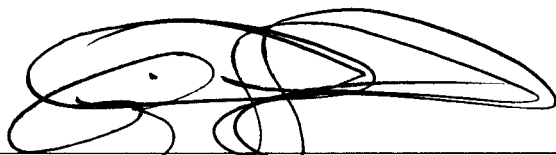
Kimberly R. Smoak, Deputy Secretary
Agency for Health Care Administration

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 of 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 by the method designated to the persons named below on this 24th day of August, 2021.



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

Copies:

Division of Administrative Hearings
(Electronic Filing)

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