



STATE OF FLORIDA  
AGENCY FOR HEALTH CARE ADMINISTRATION  
OFFICE OF FAIR HEARINGS

**FILED**

Mar 28, 2023, 8:46 am

OFFICE OF FAIR HEARINGS

[REDACTED]

PETITIONER,

AHCA Case No.: 23-FH0350

vs.

AGENCY FOR HEALTH CARE  
ADMINISTRATION,

RESPONDENT.

\_\_\_\_\_ /

**FINAL ORDER OF DISMISSAL**

The Office of Fair Hearings received a request for a Fair Hearing from [REDACTED] ("Petitioner's Authorized Representative") on behalf of Petitioner on February 21, 2023. Rule 59G-1.100(8)(g), Florida Administrative Code, requires that a Fair Hearing request be made within 90 days of the date a required Notice of Reconsideration ("NRD") is sent to Petitioner. Rule 59G-1.100(9)(b)(3), Florida Administrative Code, authorizes a Hearing Office to dismiss a fair hearing request that is untimely.

In the instant case, the NRD is dated October 18, 2022. Petitioner's Authorized Representative requested a Fair Hearing on February 21, 2023, which is more than 90 days from October 18, 2022.

On March 13, 2023, the undersigned issued an Order to Show Cause ("Order") why the Fair Hearing request should not be dismissed for failure to timely file the request. The Order notified Petitioner's Authorized Representative that failure to show cause by March 23, 2023, would result in dismissal of the case. The Office of Fair Hearings did not receive a response.

Based on the foregoing,

**IT IS THEREFORE ORDERED AND ADJUDGED THAT:**

This case is dismissed without prejudice and is now closed.

**DONE AND ORDERED** this 28th day of March, 2023 in Tallahassee, Leon County, Florida.

Joseph Mabry  
23-FH0350  
2023.03.28  
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**JOSEPH MABRY, Hearing Officer**  
**Agency for Health Care Administration**  
**Office of Fair Hearings**  
**2727 Mahan Drive, Mail Stop # 11**  
**Tallahassee, FL 32308-5407**

**NOTICE OF A 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.

**COPIES FURNISHED TO:**

[REDACTED]

**AHCA Medicaid Hearing Unit**  
**MedicaidHearingUnit@ahca.myflorida.com**