

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



FILED

Jul 26, 2023, 12:44 pm
OFFICE OF FAIR HEARINGS

[REDACTED]

PETITIONER,

AHCA Case No.: 23-FH1536

Plan ID No.: [REDACTED]

vs.

DENTAQUEST OF FLORIDA, INC.,

RESPONDENT.

_____ /

FINAL ORDER

At all times relevant to this proceeding, Petitioner received Medicaid benefits through DentaQuest of Florida, Inc. On June 14, 2023, Petitioner requested a Fair Hearing based on Respondent's denial of dental services.

Pursuant to notice e-mailed to the Petitioner's e-mail address of record on June 29, 2023, the undersigned Hearing Officer convened a telephonic hearing on July 13, 2023, at 1:00 p.m.. Petitioner was not in attendance. After a fifteen-minute grace period, the undersigned took a roll call on the record of the persons in attendance and went off the record at 1:16 p.m..

Rule 59G-1.100(9)(b)(5)(b), Florida Administrative Code, authorizes a Hearing Officer to deny or dismiss a request for a Fair Hearing if the Recipient fails to appear at the scheduled Fair Hearing without good cause.

On July 14, 2023, the undersigned issued an Order to Show Cause ("Order") why the instant case should not be dismissed for failure to appear at the scheduled Fair Hearing. The

Order notified the Petitioner that failure to show good cause on or before July 24, 2023, would result in dismissal of the case. The Office received an e-mail communication from the Petitioner on July 18, 2023, explaining [REDACTED] absence and requesting that the hearing be rescheduled. However, the Petitioner's explanation that [REDACTED] was absent from the hearing because [REDACTED] "was unable to go [to the hearing] physically in person due to transportation," does not show good cause for [REDACTED] having missed the hearing and why the hearing should be rescheduled. The initial hearing was scheduled to be held telephonically, which information was explained in the June 29, 2023, hearing scheduling order, entitled "Order Scheduling Fair Hearing By Telephone And Prehearing Instructions."

Based on the foregoing,

IT IS THEREFORE ORDERED AND ADJUDGED THAT:

Petitioner's Fair Hearing request is hereby deemed abandoned, and this matter is now closed.

DONE AND ORDERED this 26th day of July, 2023, in Tallahassee, Leon County, Florida.



Debbie K. Winicki
23-FH1536
2023.07.26 10:17:07
-04'00'

DEBBIE WINICKI, 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]
[REDACTED]

DentaQuest of Florida, Inc.
CGATeam3@dentaquest.com

AHCA Medicaid Hearing Unit
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