



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

**FILED**

Aug 22, 2023, 11:26 am

OFFICE OF FAIR HEARINGS

[REDACTED]

PETITIONER,

AHCA Case No.: 23-FH1578

vs.

AGENCY FOR HEALTH CARE  
ADMINISTRATION,

RESPONDENT.

\_\_\_\_\_ /

**FINAL ORDER**

At all times relevant to this proceeding, Petitioner received Medicaid benefits on a fee-for-service basis. On June 27, 2023, Petitioner requested a Fair Hearing based on Respondent's reduction of behavior analysis services.

Pursuant to notice e-mailed to the Petitioner's Authorized Representative's e-mail address of record on July 12, 2023, the undersigned Hearing Officer convened a telephonic hearing on August 7, 2023, at 9:00 a.m. Petitioner's Authorized Representative 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 9:16 a.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 August 8, 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's Authorized Representative that failure to show good cause on or before August 18, 2023, would result in dismissal of the case. The Office did receive an email from the Petitioner's Authorized Representative on August 7, 2023; however it was an untimely request to continue the hearing. An order was not issued in response to this request. The Office did not receive any communication from the Petitioner's Authorized Representative explaining the absence or requesting that the hearing be rescheduled after the Order was issued.

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 22nd day of August, 2023 in Tallahassee, Leon County, Florida.

 Kameisha Presley  
23-FH1578  
2023.08.22  
08:26:40 -04'00'

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**KAMEISHA PRESLEY, 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]

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