



FILED

Sep 19, 2023, 10:31 am

OFFICE OF FAIR HEARINGS

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

[REDACTED]

PETITIONER,

AHCA Case No.: 23-FH1905

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 August 1, 2023, Petitioner requested a Fair Hearing based on Respondent's denial of dental services - orthodontics. Pursuant to notice e-mailed to the Petitioner's e-mail address of record and Respondent's e-mail address of record on August 18, 2023, the undersigned Hearing Officer convened a telephonic hearing on September 18, 2023, at 9:00 a.m. Eastern Standard Time.

DentaQuest did not provide a representative at the scheduled date and time of the Fair Hearing. Petitioner's [REDACTED] and authorized representative, [REDACTED], and Linda Latson, Fair Hearing Liaison for the Agency for Health Care Administration ("Agency" of "AHCA"), were present for the Fair Hearing. After a fifteen-minute grace period, the undersigned proceeded to go on the record at 9:15 a.m. EST. The undersigned issued a default judgment in favor of Petitioner and adjourned the Fair Hearing at 9:16 a.m.

Pursuant to Fla. Admin. Code R. 59G-1.00(16)(a)(1):

(a) A Hearing Officer shall be appointed by the Agency to preside over each fair hearing and must:

1. Ensure that the fair hearing is conducted in a manner consistent with this rule, and promotes the fair, just, and speedy resolution of the proceeding.

...


(b) The Hearing Officer shall have the authority to issue any and all orders and render rulings consistent with this rule.

The undersigned concludes that DentaQuest's failure to appear for the Fair Hearing does not promote a fair, just, or speedy resolution of the proceeding consistent with Fla. Admin. Code R. 59G-1.00(16)(a)(1). In consideration of the foregoing and pursuant to Fla. Admin. Code R. 59G-1.00(16)(b), the undersigned issues this Final Order of Default.

IT IS THEREFORE ORDERED AND ADJUDGED THAT:

DentaQuest's denial of Petitioner's dental services is **REVERSED**. Petitioner's appeal based on Respondent's denial of dental services is **GRANTED**.

DONE AND ORDERED this 19th day of September, 2023 in Tallahassee, Leon County, Florida.

 Kameisha Presley
23-FH1905
2023.09.19
07:58:00 -04'00'

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]

DentaQuest of Florida, Inc.
CGATeam3@dentaquest.com

AHCA Medicaid Hearing Unit
MedicaidHearingUnit@ahca.myflorida.com