

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



FILED

Oct 17, 2023, 9:45 am

OFFICE OF FAIR HEARINGS

[REDACTED]

PETITIONER,

AHCA Case No.: 23-FH2146

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 August 29, 2023, [REDACTED] (“[REDACTED]”), Petitioner’s Authorized Representative, requested a Fair Hearing based on Respondent’s termination of behavior analysis services.

A Hearing Officer may deny or dismiss a Fair Hearing request if the Recipient files a written withdrawal of the request. A Hearing Officer may also deny or dismiss a Fair Hearing request if the Recipient testifies on the record that he or she wishes to withdraw the request. *See* Rule 59G-1.100(9)(b)(5)(a), Florida Administrative Code.

On October 17, 2023, the hearing was held before the undersigned Hearing Officer with the following parties in attendance: [REDACTED]; [REDACTED], Petitioner’s BCBA; Marielisa Amador, Medical Health Care Program Analyst with the Agency for Health Care Administration; and Dr. Joseph Darling, BCBA-D with eQHealth Solutions, Inc. (“eQHealth”). At that time and on the record, Dr. Darling testified that an eQHealth medical director override was

issued yesterday approving the following Behavior Analysis services: 2,080 units of code 97153; 520 units of code 97154; 624 units of code 97155; 24 units of code 97156; and 104 units of 97158.

██████████ testified that the approval resolves Petitioner’s Fair Hearing request, and ██████ withdrew the Fair Hearing request.

Based on the foregoing,

IT IS THEREFORE ORDERED AND ADJUDGED THAT:

Petitioner’s Fair Hearing request is hereby deemed withdrawn, and this matter is now closed.

DONE AND ORDERED this 17th day of October, 2023, in Tallahassee, Leon County, Florida.

Laura Gallagher

23-FH2146



2023.10.17

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LAURA GALLAGHER, 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.

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AHCA Medicaid Hearing Unit
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