

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



FILED

May 20, 2024, 12:53 pm

OFFICE OF FAIR HEARINGS

[REDACTED]

PETITIONER,

AHCA Case No.: 24-FH0196

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 January 18, 2024, Petitioner requested a Fair Hearing based on Respondent's termination of behavior analysis services.

Pursuant to the third notice e-mailed to the Petitioner's Authorized Representative's e-mail of record on March 29, 2024, the undersigned Hearing Officer convened a telephonic hearing on April 18, 2024, at 1:00 p.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 1:19 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 April 19, 2024, the undersigned issued an Order to Show Cause (“Order”) why the instant case should not be dismissed for failure to appear at the Fair Hearing, which was rescheduled at Petitioner’s request after a failure to appear for the March 25, 2024, Fair Hearing. The Order notified the Petitioner’s Authorized Representative that failure to show good cause on or before April 29, 2024, would result in dismissal of the case. The Office received an e-mail communication from the Petitioner’s Authorized Representative explaining [REDACTED] absence; however, the response did not demonstrate good cause for the failure to appear.

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 20th day of May, 2024 in Tallahassee, Leon County, Florida.

Laura Gallagher

24-FH0196

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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.

COPIES FURNISHED TO:

[REDACTED]

[REDACTED]

AHCA Medicaid Hearing Unit
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