

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



FILED

Apr 18, 2024, 1:10 pm
OFFICE OF FAIR HEARINGS

[REDACTED]

PETITIONER,

AHCA Case No.: 24-FH0653

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 February 23, 2024, [REDACTED] (“Petitioner’s Authorized Representative”) requested a Fair Hearing based on Respondent’s termination of PPEC 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 April 16, 2024, the undersigned Hearing Officer convened a Fair Hearing. [REDACTED] (“[REDACTED]”), Petitioner’s Authorized Representative and [REDACTED], appeared as the representative for Petitioner. Diana Hearod, Medical Health Care Program Analyst for the Agency for Health Care Administration, appeared as the representative for Respondent. Dr. Chris Kunis (“Dr. Kunis”), Medical Director for eQHealth Solutions of Florida and Kepro, attended as the witness for Respondent.

At the conclusion of the Fair Hearing, Respondent reversed its decision in this case based on the evidence. Dr. Kunis testified on the record that a Medical Director override would be issued authorizing all of the PPEC services at issue as follows: 624 total units of code T1026 partial day PPEC services, and 156 total units of code T1025 full day PPEC services for the certification period of January 23, 2024, through July 20, 2024. [REDACTED] testified that the authorization resolved Petitioner's Fair Hearing request and thereby withdrew the request.

As Petitioner's Authorized Representative testified that the approved PPEC services resolved the Fair Hearing request and withdrew it, the undersigned concludes that there is no relief that can be granted at a Fair Hearing at this time.

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Petitioner's Fair Hearing request is hereby deemed withdrawn, and this matter is now closed.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 18th day of April, 2024, in Tallahassee, Leon County, Florida.



Lynne Ringers

24-FH0653

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LYNNE RINGERS, 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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