

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



FILED

Jul 12, 2024, 11:13 am  
OFFICE OF FAIR HEARINGS

[REDACTED],  
PETITIONER,

AHCA Case No.: 24-FH1624

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 May 16, 2024, Petitioner requested a Fair Hearing based on Respondent's denial of behavior analysis services.

Pursuant to notice e-mailed to the Petitioner's Authorized Representative's e-mail address of record on June 5, 2024, the undersigned Hearing Officer convened a telephonic hearing on June 27, 2024, at 10:00 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 10:17 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 June 27, 2024, 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 July 8, 2024, would result in dismissal of the case. Rule 59G-1.00(2)(n) defines Good Cause as “[a]n incident or occurrence which is beyond the control of the movant and which prevents compliance.” Examples of good cause include a disabling accident, illness, or declared emergency; or other similar circumstances beyond the Recipient’s control. See Fla. Admin. Rule 59G-1.100(14)(b). On July 8, 2024, the Petitioner’s Authorized Representative filed an e-mailed response to the June 27, 2024, Order to Show Cause that explained that [REDACTED] was not aware of the scheduled Fair Hearing. The response did not show a disabling illness or accident on the part of the representative, nor otherwise demonstrate good cause for not appearing at the June 27, 2024, Fair Hearing.

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 12th day of July, 2024 in Tallahassee, Leon County, Florida.

Alan J. Leifer



24-FH1624

2024.07.12

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**ALAN LEIFER, 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:**

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████████████████████

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